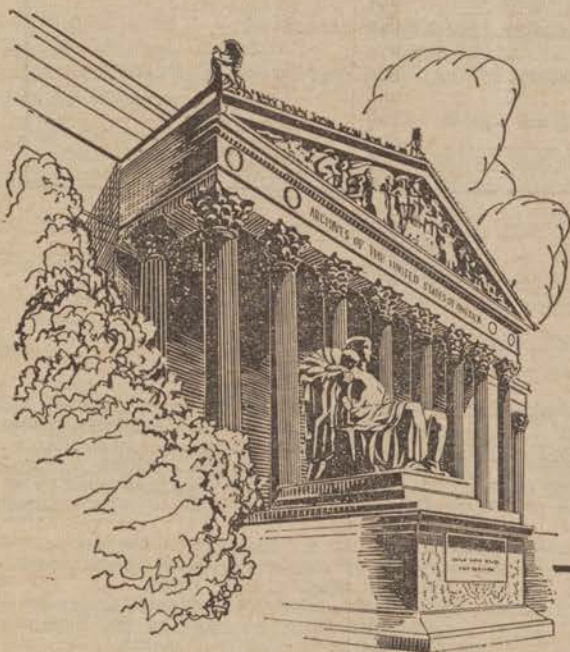


FEDERAL REGISTER

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Pages 1139-1170



Agencies in this issue—

Agricultural Stabilization and
Conservation Service
Atomic Energy Commission
Civil Aeronautics Board
Consumer and Marketing Service
Customs Bureau
Federal Aviation Agency
Federal Maritime Commission
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
General Services Administration
Interstate Commerce Commission
Public Roads Bureau
Securities and Exchange Commission
Treasury Department

Detailed list of Contents appears inside.



How To Find U.S. Statutes and U.S. Code Citations

[Revised Edition—1965]

This pamphlet contains typical legal references which require further citing. The official published volumes in which the citations may be found are shown alongside each reference—with suggestions as to the logical sequence to follow in using them. Additional finding aids, some especially useful in citing current legislation, also have been in-

cluded. Examples are furnished at pertinent points and a list of references, with descriptions, is carried at the end.

This revised edition contains illustrations of principal finding aids and reflects the changes made in the new master table of statutes set out in the 1964 edition of the United States Code.

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Contents

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Rules and Regulations

Determination of acreage and compliance; miscellaneous amendments.....	1143
Sugar beets, domestic producing area, 1962 and subsequent crops; general conditional payments provisions.....	1143

Proposed Rule Making

Sugar quota, mainland cane area, 1966; allotment.....	1151
---	------

AGRICULTURE DEPARTMENT

See Agricultural Stabilization and Conservation Service; Consumer and Marketing Service.

ATOMIC ENERGY COMMISSION

Notices

General Atomic Division, General Dynamics Corp.; application for and proposed issuance of facility export license.....	1166
Lowell Technological Institute; extension of completion date.....	1167

CIVIL AERONAUTICS BOARD

Notices

Hearings, etc.: Ozark Air Lines, Inc.....	1167
Piedmont Case.....	1167

COMMERCE DEPARTMENT

See Public Roads Bureau.

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Limes grown in Florida; quality and size; correction.....	1143
---	------

Proposed Rule Making

Milk in certain marketing areas: Ozarks; recommended decision and opportunity to file comments.....	1151
Paducah, Ky.; decision.....	1152

CUSTOMS BUREAU

Rules and Regulations

Free entry of personal and household effects.....	1148
---	------

FEDERAL AVIATION AGENCY

Rules and Regulations

Air carriers and commercial operators of large aircraft; emergency flotation equipment.....	1146
---	------

Airworthiness directives:

Bristol Siddeley de Havilland Model Gipsy Queen Series 30 engines.....	1144
Fairchild Model F-27 Series airplanes.....	1144
Hawker Siddeley de Havilland Model 104 Dove Series airplanes.....	1144
Continental control area and restricted area; alteration.....	1145
Federal airways; modification.....	1144
Jet routes; modification.....	1146
Restricted area; revocation.....	1145
Transition areas; modification.....	1145

Proposed Rule Making

Airworthiness directives; Morane-Saulnier M.S. airplanes.....	1156
Jet route segment; designation.....	1156
Transition area; alteration.....	1156
VOR Federal airways; alterations.....	1157

FEDERAL MARITIME COMMISSION

Notices

All Nations Forwarding Co.; revocation of license.....	1168
Manz Line joint service; agreement filed for approval.....	1168

FEDERAL RESERVE SYSTEM

Notices

Banks; mergers and/or acquisition of shares: Baystate Corp.....	1167
County Trust Co.....	1168
New Hampshire Bankshares, Inc.....	1167

FEDERAL TRADE COMMISSION

Rules and Regulations

Prohibited trade practices: Consolidated Foods Corp.....	1147
Harry Camp Millinery Co. et al.....	1147

FISH AND WILDLIFE SERVICE

Rules and Regulations

Sport fishing in wildlife refuge areas: Missouri; Mingo.....	1150
Oregon: Klamath Forest.....	1150
Upper Klamath.....	1150

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

Food additives; components of paper and paperboard in contact with aqueous and fatty foods.....	1149
---	------

Proposed Rule Making

Drugs, depressant and stimulant; label symbol.....	1155
Food additives; polyurethane resins.....	1155
Tomatoes, canned; identity standards.....	1154

Notices

Food additives; petitions: C. P. Hall Company of Illinois.....	1161
Dow Chemical Co.....	1161
West Chemical Products, Inc.....	1162

GENERAL SERVICES ADMINISTRATION

Rules and Regulations

Procurement by negotiation; experimental, developmental, or research work.....	1150
--	------

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Food and Drug Administration.

INTERIOR DEPARTMENT

See Fish and Wildlife Service.

INTERSTATE COMMERCE COMMISSION

Notices

Fourth section applications for relief.....	1159
Motor carrier: Temporary authority applications.....	1158
Transfer proceedings.....	1159

PUBLIC ROADS BUREAU

Notices

Highway beautification; public hearings.....	1162
--	------

SECURITIES AND EXCHANGE COMMISSION

Notices

Hearings, etc.: Arkansas Power & Light Co. and Middle South Utilities, Inc.....	1160
Delaware Power & Light Co.....	1161

TREASURY DEPARTMENT

See also Customs Bureau.

Notices

Commandant, U.S. Coast Guard; delegation of functions.....	1166
--	------

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

7 CFR

718	1143
891	1143
911	1143

PROPOSED RULES:

814	1151
1067	1151
1099	1152

14 CFR

39 (3 documents)	1144
71 (4 documents)	1144, 1145
73 (2 documents)	1145
75	1146
121	1146

PROPOSED RULES:

39	1156
71 (2 documents)	1156, 1157
75	1156

16 CFR

13 (2 documents)	1147
------------------	------

19 CFR

54	1148
----	------

21 CFR

121	1149
-----	------

PROPOSED RULES:

53	1154
121	1155
166	1155

41 CFR

1-3	1150
-----	------

50 CFR

33 (3 documents)	1150
------------------	------

Rules and Regulations

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM ACREAGE ALLOTMENTS AND MARKETING QUOTAS

PART 718—DETERMINATION OF ACREAGE AND COMPLIANCE

Miscellaneous Amendments

1. *Basis and purpose.* This amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1301, et seq.), the Sugar Act of 1948, as amended (7 U.S.C. 1100, et seq.), the Agricultural Adjustment Act of 1949, as amended (7 U.S.C. 1441, et seq.), the Soil Bank Act (7 U.S.C. 1801, et seq.), the Food and Agriculture Act of 1962 (Public Law 87-703, approved September 27, 1962, and Public Law 87-801, approved October 11, 1962), the Agricultural Act of 1964 (Public Law 88-297, approved April 11, 1964), and the Food and Agriculture Act of 1965 (Public Law 89-321, approved November 3, 1965), for the purpose of: (1) Requiring the operator to furnish names and addresses of all other producers having an interest in the farm; (2) designating additional counties for accepting producer certification; (3) providing a time after which a crop may not be destroyed for substitution of designated diverted acreage; and (4) including changes in State committee options in Louisiana.

§ 718.7 Farm inspection and determination of compliance.

(a) *General.* The farm operator, his representative, or a producer on the farm shall be responsible for designating all fields and crops on the farm for which inspection or measurement is required, for assisting the reporter in required measurements, and furnishing names of all other producers having an interest in the farm.

(c) *Refusal to furnish information on other interested persons.* If a farm operator refuses to furnish information with respect to all other producers having an interest in the farm, the operator may be denied program benefits until such information is furnished to the county committee.

§ 718.8 Report of acreage.

(b) *Obtained by certification.* * * *
(6) *For wheat, sugar crops, and feed grain under the conditions specified below for counties listed in subdivision (x) of this subparagraph (6).* * * * Minnesota—Wheat and Feed Grain—Add Fillmore Nebraska—Sugar—Add Box

Butte, Buffalo, Dawson, Deuel, Morrill, Scotts Bluff, Sheridan, Sioux.

§ 718.14 Adjustment of acreage.

(b) *Timing requirements.* * * *
(2) *Substitution of diverted acreage.* Disposition of a crop to make land eligible for substitution of previously designated diverted acreage shall not be per-

mitted after the latest disposition date for feed grain, or the disposition date for the crop to be disposed of, whichever is earlier.

§ 718.15 [Amended]

Section 718.15(b) Table of Sections Affected by State Committee Determinations Pursuant to § 718.15(a) (28 F.R. 8117) is further amended for the State of Louisiana to read as follows:

TABLE OF SECTIONS AFFECTED BY STATE COMMITTEE DETERMINATIONS PURSUANT TO § 718.15(a)

State	Section 718.2(g) normal row width	Section 718.5(f) deduction credit	Section 718.5(g)(2) adjustment credit	Section 718.9(b)(3) acreage computations	Section 718.13(c)(2) remeasurement refund
Louisiana		Unplanted contour levees within rice field are not eligible for deduction.	For rice, minimum area 1.0 acre for rice. Minimum width 0.5 chain for rice.		

Effective date. Since the determination of acreage and compliance for the 1965 program year is nearing completion, these regulations should be issued as soon as possible. Accordingly, it is hereby determined that compliance with the notice, public procedure, and effective date provisions of the Administrative Procedure Act (5 U.S.C. 1003) is impracticable and contrary to the public interest and the provisions of this part shall become effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on January 24, 1966.

RAY FITZGERALD,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-1021; Filed, Jan. 27, 1966; 8:49 a.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER K—GENERAL CONDITIONAL PAYMENTS PROVISIONS

[Sugar Determination 891.1, Amdt. 1]

PART 891—DOMESTIC BEET SUGAR PRODUCING AREA, 1962 AND SUBSEQUENT CROPS

General Conditional Payments Provisions

Pursuant to the provisions of the Sugar Act of 1948, as amended, the first sentence of paragraph (b) of § 891.1 (27 F.R. 10318) is amended by deleting the period and adding the following:

§ 891.1 General conditional payments provisions.

(b) *Designation of Crop Year.* * * *
Provided, That in Orange and Riverside Counties sugarbeets that are planted

during the calendar year 1965 and during the period January 1 through January 28, 1966, shall be designated as 1965-crop sugarbeets.

Statement of bases and considerations. Sugarbeets are planted in Orange and Riverside Counties, Calif., during the months of November and December. Under the original regulations, sugarbeets are designated as to crop year to correspond with the calendar year in which they are planted.

Due to very heavy rainfall in November and December 1965, many growers in Orange and Riverside Counties were unable to plant sugarbeets in such months. To prevent hardship in such cases, the planting period for the 1965-crop year is extended through January 28, 1966.

Accordingly, I hereby find and conclude that the foregoing amendment will effectuate the applicable provisions of the Act.

Effective date. Date of publication.

Signed at Washington, D.C., on January 25, 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-1022; Filed, Jan. 27, 1966; 8:49 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Lime Reg. 20, Amdt. 2; Correction]

PART 911—LIMES GROWN IN FLORIDA

Quality and Size; Correction

In F.R. Doc. 66-931 appearing at page 959 of the issue of Tuesday, January 25, 1966 (31 F.R. 959), there is inserted in

RULES AND REGULATIONS

§ 911.322(b) (2) (iii) on page 960 after the word "volume," "except that, if such lines are of a size smaller than 1 1/4 inches in diameter, they also".

Dated: January 26, 1966.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable
Division, Consumer and Mar-
keting Service.

[F.R. Doc. 66-1073; Filed, Jan. 27, 1966;
11:38 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 6945; Amdt. 39-185]

PART 39—AIRWORTHINESS DIRECTIVES

Hawker Siddeley de Havilland Model 104 Dove Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring inspection and replacement where necessary of the eye ends used in the rudder and elevator trim tab connecting rod assemblies on de Havilland Model 104 Dove Series airplanes was published in 30 F.R. 12687.

Interested persons have been afforded an opportunity to participate in the making of the amendment. There were comments that the repetitive inspection interval should be increased from 400 to 600 hours' time in service or yearly, whichever occurs first, so that it would be compatible with another AD on the same airplanes. This AD does not require the 400-hour repetitive inspection recommended by the manufacturer's service bulletin. It requires only a simple one-time inspection of the eye ends of the rudder and elevator trim tab connecting rods and replacement if cracks are found.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

HAWKER SIDDELEY. Applies to de Havilland Model 104 Dove Series airplanes.

Compliance required within 150 hours' time in service after the effective date of this AD.

As a result of cracking of eye ends used in the rudder and elevator trim tab connecting rod assemblies, accomplish the following unless already accomplished:

(a) Remove eye ends, P/N's CM.2A and CM.2B, and inspect for cracks visually or by use of other FAA-approved methods.

(b) Replace cracked parts with uncracked parts of the same part number before further flight.

(Hawker Siddeley Aviation, de Havilland Division T.N.S. Dove (104) Series CT (104) No. 187 or later ARB-approved issues cover this same subject).

This amendment becomes effective February 27, 1966.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423)

Issued in Washington, D.C., on January 24, 1966.

C. W. WALKER,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-973; Filed, Jan. 27, 1966;
8:45 a.m.]

[Docket No. 7131; Amdt. 39-186]

PART 39—AIRWORTHINESS DIRECTIVES

Bristol Siddeley de Havilland Model Gipsy Queen Series 30 Engines

There has been a failure of the front end of the crankshaft of a Bristol Siddeley de Havilland Model Gipsy Queen Series 30 engine resulting in loss of the propeller in flight. Since this condition is likely to exist or develop in other engines of the same type design, an airworthiness directive is being issued to require inspection and replacement as necessary until modification of certain crankshafts of the subject engines.

As a situation exists which demands immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BRISTOL SIDDELEY. Applies to de Havilland Model Gipsy Queen Series 30 engines with crankshafts with Modification 2036 or 2162 installed.

Compliance required as indicated.

To prevent further failures of the crankshaft front end that could result in loss of the propeller, accomplish the following:

(a) Unless already accomplished within the last 375 hours' time in service, inspect crankshaft for cracks within the next 25 hours' time in service after the effective date of this AD in accordance with Bristol Siddeley Technical News Sheet (TNS) GQ30 No. 70, dated November 16, 1965, or later ARB-approved issue, or an FAA-approved equivalent, and thereafter at intervals not to exceed 400 hours' time in service from the last inspection until modified in accordance with paragraph (c).

(b) Replace cracked crankshaft before further flight with an uncracked crankshaft.

(c) Incorporate Modification 2925 (which introduces shot peening underneath the chrome to improve the fatigue strength) on crankshaft within the next 1600 hours' time in service after the effective date of this AD unless already accomplished.

This amendment becomes effective January 28, 1966.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423)

Issued in Washington, D.C., on January 24, 1966.

C. W. WALKER,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-974; Filed, Jan. 27, 1966;
8:45 a.m.]

[Docket No. 1316; Amdt. 39-184]

PART 39—AIRWORTHINESS DIRECTIVES

Fairchild Model F-27 Series Airplanes

Amendment 471 (27 F.R. 7563), AD 62-17-5, requires repetitive inspection of the elevator hinge attachment area on Fairchild Model F-27 Series airplanes. The inspection covers an area where a structural modification had been incorporated. The Agency has determined from good service experience that the repetitive inspections required by the AD are no longer necessary, obviating the need for the AD.

Since this amendment relieves a restriction and imposes no additional burden on any person, it is found that notice and public procedure hereon are unnecessary and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by rescinding Amendment 471 (27 F.R. 7563), AD 62-17-5.

This amendment becomes effective January 28, 1966.

(Sec. 313(a), 601, and 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423)

Issued in Washington, D.C., on January 21, 1966.

C. W. WALKER,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-975; Filed, Jan. 27, 1966;
8:45 a.m.]

[Airspace Docket No. 65-EA-102]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Modification of Federal Airways

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to redescribe, in part, VOR Federal airways Nos. 33 and 265 between Philipsburg, Pa., and Bradford, Pa., by substituting the Keating, Pa., VOR for the intersection of the Philipsburg 339° and the Bradford 148° True radials. A deficiency in the transmitted signal from the Bradford VOR caused by factors which cannot be economically overcome renders the intersection described above inadequate. The change in description does not change the airway routings.

Since this amendment does not involve designation or revocation of controlled airspace or airways, and is essentially an operational adjustment, notice and public procedure hereon are unnecessary, and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., March 31, 1966, as hereinafter set forth.

In § 71.123 (30 F.R. 4121, 4533, 7312), the following changes are made:

1. In the text of VOR Federal airway No. 33 delete "INT of Philipsburgh 339° and Bradford, Pa., 148° radials; Bradford" and substitute "Keating, Pa.; Bradford, Pa.;" therefor.

2. In the text of VOR Federal airway No. 265 delete "INT of Philipsburgh 339° and Bradford, Pa., 148° radials; Bradford" and substitute "Keating, Pa.; Bradford, Pa.;" therefor.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on January 21, 1966.

JAMES L. LAMPL,
Acting Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 66-976; Filed, Jan. 27, 1966;
8:45 a.m.]

[Airspace Docket No. 66-CE-3]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Modification of Transition Areas

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Glasgow, Mont., transition area and the Glasgow, Mont., AFB transition area.

The Glasgow, Mont., transition area is presently designated as that airspace extending upward from 700 feet above the surface within a 5-mile radius of Glasgow Municipal Airport (latitude 48°13'00" N., longitude 106°36'45" W.); and within 2 miles each side of the 100° and 279° bearings from the airport extending from the 5-mile radius to 8 miles E and W of the airport.

The Glasgow, Mont., AFB transition area is presently designated as that airspace extending upward from 700 feet above the surface within a 9-mile radius of Glasgow AFB (latitude 48°25'00" N., longitude 106°31'40" W.); and that airspace extending upward from 1,200 feet above the surface within a 50-mile radius of Glasgow AFB, excluding the portion north of latitude 49°00'00" N.

The Federal Aviation Agency has conducted a further study of airspace requirements in the Glasgow, Mont., terminal area and has determined that the Glasgow, Mont., transition area must be modified to reflect the correct Glasgow Municipal Airport geographical coordinates. The Agency has also determined that the portion of the Glasgow, Mont., AFB transition area with a 50-mile radius extending upward from 1,200 feet above the surface to 6,700 MSL can be reduced in size and yet remain adequate for the protection of aircraft executing approach and departure procedures. The radius of the transition area above 6,700 MSL will not be affected by this amendment.

Therefore, Part 71 of the Federal Aviation Regulations is herein amended to correct the geographical coordinates of the Glasgow Municipal Airport as they appear in the Glasgow, Mont., transition area and is also herein amended to re-

duce the size of the Glasgow, Mont., AFB transition area that extends upward from 1,200 feet above the surface.

Since these amendments are less restrictive and impose no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., March 31, 1966, as hereinafter set forth:

(1) In § 71.181 (29 F.R. 17643) the Glasgow, Mont., transition area is amended to read:

GLASGOW, MONT.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Glasgow Municipal Airport, Glasgow, Mont. (latitude 48°12'54" N., longitude 106°37'06" W.); and within 2 miles each side of the 100° and 279° bearings from the airport extending from the 5-mile radius to 8 miles E and W of the airport.

(2) In § 71.181 (29 F.R. 17643) the Glasgow, Mont., AFB transition area is amended to read:

GLASGOW, MONT., AFB

That airspace extending upward from 700 feet above the surface within a 9-mile radius of Glasgow AFB (latitude 48°25'00" N., longitude 106°31'40" W.); that airspace extending upward from 1,200 feet above the surface within a 35-mile radius of Glasgow AFB; and that airspace extending upward from 6,700 MSL within a 50-mile radius of Glasgow AFB, excluding the portion North of Latitude 49°00'00" N.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on January 18, 1966.

DONALD S. KING,
Acting Director, Central Region.

[F.R. Doc. 66-1013; Filed, Jan. 27, 1966;
8:48 a.m.]

[Airspace Docket No. 66-CE-147]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

PART 73—SPECIAL USE AIRSPACE

Revocation of Restricted Area

The purpose of these amendments to Parts 71 and 73 of the Federal Aviation Regulations is to revoke the Madison, Wis. (Truax Field), restricted area, R-6905, as requested by the Department of the Air Force.

In addition, it will be necessary to amend Part 71 by deleting reference to R-6905 from the Madison, Wis., transition area.

These amendments will release more airspace for public use. Accordingly, they are minor in nature and will impose little or no burden on the public. In view of this, notice and public procedure hereon are unnecessary, and the amendments may be made effective in less than 30 days.

In consideration of the foregoing, Parts 71 and 73 of the Federal Aviation

Regulations are amended, effective upon publication in the FEDERAL REGISTER, as hereinafter set forth.

1. In § 71.181 (29 F.R. 17643), the Madison, Wis. (Truax Field), transition area is amended as follows:

"The portion within R-6905 shall be used only after obtaining prior approval from appropriate authority," is deleted.

2. In § 73.69 (29 F.R. 17773, 30 F.R. 6387), "R-6905, Madison, Wis. (Truax Field) restricted area/military climb corridor" is revoked.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on January 21, 1966.

A. D. HARVEY,
Acting Director, Air Traffic Service.

[F.R. Doc. 66-977; Filed, Jan. 27, 1966;
8:45 a.m.]

[Airspace Docket No. 65-SO-79]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

PART 73—SPECIAL USE AIRSPACE

Alteration of Continental Control Area and Restricted Area

The purposes of these amendments to Parts 71 and 73 of the Federal Aviation Regulations is to divide Restricted Area R-3002, Fort Benning, Ga., into two areas, R-3002A and R-3002B, establish R-3002B as joint use and to alter the description of the continental control area to include R-3002B. R-3002A will extend from the surface to and including 18,000 feet MSL and R-3002B will extend from 18,000 feet MSL to 29,000 feet MSL.

By placing the upper restricted area, R-3002B, under joint use, greater use of the area by the public will be permitted.

Since this amendment is procedural in nature and reduces the burden on the public, notice and public procedure hereon are unnecessary and the amendment may be made effective immediately.

In consideration of the foregoing, Parts 71 and 73 of the Federal Aviation Regulations are amended, effective immediately, as hereinafter set forth.

1. In § 73.30 (29 F.R. 17742; 30 F.R. 11502, 11850), Restricted Area R-3002, Fort Benning, Ga., is amended as follows:

a. Delete R-3002 and substitute the designation R-3002A therefor.

b. Delete the present description of the designated altitudes and substitute "Surface to and including 18,000 feet MSL."

c. Add the following new restricted area designated, R-3002B:

R-3002B: Fort Benning, Ga.
Boundaries: Same as R-3002A.
Designated altitude: From 18,000 feet MSL to 29,000 feet MSL.
Time of designation: Continuous.
Controlling agency: Federal Aviation Agency, Atlanta ARTC Center.
Using agency: Commanding Officer, Fort Benning, Ga.

2. Section 71.151 (29 F.R. 17550) add the following:

R-3002B: Fort Benning, Ga.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on January 21, 1966.

A. D. HARVEY,

Acting Director, Air Traffic Service.

[F.R. Doc. 66-1012; Filed, Jan. 27, 1966; 8:48 a.m.]

[Airspace Docket No. 65-WA-65]

PART 75—ESTABLISHMENT OF JET ROUTES

Modification of Jet Routes

In consonance with ICAO International Standards and Recommended Practices, the Federal Aviation Agency (FAA) is amending Part 75 of the Federal Aviation Regulations. This action relates to navigable airspace both within and outside the United States.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting safe, orderly and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state the United States agreed by Article 3(d) that its state aircraft will be operating in international airspace with due regard for the safety of civil aircraft.

Since this action involves in part the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Jet Route No. 501 is presently designated in part from Biorka Island, Alaska, VOR to Sandspit, British Columbia, RR, excluding the airspace over Canada.

Jet Route No. 502 is presently designated in part from Annette Island, Alaska, RR to Ethelda Bay, British Columbia, RBN, excluding the airspace over Canada. These two jet routes terminate at the United States/Canadian border at the point where Canadian High Level airway No. 501 and High Level airway No. 502 terminated prior to the recent actions taken by the Canadian Department of Transport which redesignated HL 501 from Biorka Island VOR to Sandspit VOR and HL 502 from Annette Island VOR to Port Hardy VOR. Action is taken herein to realign J-501 and J-502 so that these jet routes will adjoin the corresponding Canadian high level airways at the border.

Since these modifications will effect a negligible change in the airspace assignments within the United States and will impose no undue burden on any person, the Administrator finds that notice and public procedure hereon are unnecessary.

In consideration of the foregoing, § 75.100 (29 F.R. 17776, 19185, 30 F.R. 930) is amended effective 0001 e.s.t., March 31, 1966, as hereinafter set forth:

a. In the text of J-501 "Sandspit, British Columbia RR" is deleted and "Sandspit, British Columbia" is substituted therefor.

b. In the text of J-502 "Annette Island, Alaska, RR; to Ethelda Bay, British Columbia, RBN" is deleted and "Annette Island, Alaska; to Port Hardy, British Columbia" is substituted therefor.

(Secs. 307(a) and 1110, Federal Aviation Act of 1958; 49 U.S.C. 1348 and 1510 and E.O. 10854 (24 F.R. 9565))

Issued in Washington, D.C., on January 21, 1966.

JAMES L. LAMPL,

Acting Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 66-982; Filed, Jan. 27, 1966; 8:46 a.m.]

[Docket No. 6713; Amdt. No. 121-17]

PART 121—CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

Emergency Flotation Equipment

The purpose of this amendment is to require that each large airplane used in certain overwater operations under Part 121 be equipped with either a life preserver or some other flotation means (such as buoyant seat cushions) for each occupant.

This amendment was originally proposed as a notice of proposed rule making issued as Notice No. 65-12 and published in the FEDERAL REGISTER on June 19, 1965 (30 F.R. 7963).

Most of the written comments that were received favored the proposed amendment. One comment objected to the proposed regulation stating that a severe economic burden would be imposed on Part 121 operators if this regulation were adopted, as proposed. This objection was based upon the assumption

that the regulation would require those operators who had voluntarily equipped their aircraft with floatable seat cushions to replace them with flotation means that meet the requirements of TSO-C72. This comment also stated that the words "any overwater operation" were inadequate, and could lead to misinterpretation.

With respect to the former comment, it is not the intent of this regulation to impose any additional burden on those Part 121 operators that have voluntarily installed adequate flotation means in their airplanes. Many of these flotation means were installed before the issuance of a relevant TSO and were not otherwise approved. However, even though such flotation means were not approved when installed, if the Agency determines that these flotation means are adequate, they will be approved. Further, once a flotation means is approved, whether under a TSO or otherwise, that approval is not affected by a later TSO, unless the regulation requiring the approval is specifically amended to refer to the later TSO.

With respect to the latter comment, the Agency wishes to make it clear that this regulation applies to all airplanes operating under Part 121 that take off, hold, approach, or land over a body of water such as a lake, coastal water, or river. The regulation also applies to those airplanes operating en route over such a body of water. Since most of the airplanes operating under Part 121 fly over water they will be required to have this emergency flotation equipment aboard. However, the Agency agrees that the regulation should not be arbitrarily applied to a body of water that is of such a size and depth that should the flight of an airplane terminate therein the use of life preservers or flotation means would not be necessary for the survival of its occupants. Therefore, in the event that an operator is of the opinion that a particular operation may be conducted over water without life preservers or flotation means the regulation as adopted further provides that, upon proper showing by that operator, the Administrator may approve such operation. When such approval has been obtained it will be placed in the operations specifications of the operator concerned.

Section 121.521(a) is being amended by inserting the word "flight" before the word "crewmember" to correct a typographical error that occurred in the recodification of that section. As amended, this paragraph is consistent with the section heading and with its predecessor, CAR section 42.321.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all matter presented.

In consideration of the foregoing, and for the reasons set forth in Notice No. 65-12, Part 121 of the Federal Aviation Regulations is amended effective February 27, 1966, as follows:

1. A new section is added to follow § 121.339 to read as follows:

§ 121.340 Emergency flotation means.

(a) Except as provided in paragraph (b) of this section, after March 1, 1967, no person may operate a large airplane in any overwater operation unless it is equipped with life preservers in accordance with § 121.339(a) (1), or with an approved flotation means for each occupant. This means must be within easy reach of each seated occupant and must be readily removable from the airplane.

(b) Upon application by the air carrier or commercial operator, the Administrator may approve the operation of an airplane over water without the life preservers or flotation means required by paragraph (a) of this section, if the air carrier or commercial operator shows that the water over which the airplane is to be operated is not of such size and depth that life preservers or flotation means would be required for the survival of its occupants in the event the flight terminates in that water.

§ 121.521 [Amended]

2. Paragraph (a) of § 121.521 is amended by inserting the word "flight" after the words "one additional".

(Secs. 313(a), 601, and 604, Federal Aviation Act of 1958; 49 U.S.C. 1354, 1421, and 1424)

Issued in Washington, D.C., on January 21, 1966.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 66-978; Filed, Jan. 27, 1966; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket C-1024]

PART 13—PROHIBITED TRADE PRACTICES

Consolidated Foods Corp.

Subpart—Acquiring corporate stock or assets: Sec. 13.5 *Acquiring corporate stock or assets.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies Sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 18) [Order of divestiture, Consolidated Foods Corp., Chicago, Ill., Docket C-1024, Dec. 21, 1965]

Consent order requiring one of the leading food merchandising companies in the nation with principal office in Chicago, Ill.—having total sales of \$634 million in 1964—to divest itself absolutely within 3 years, to a purchaser approved by the Federal Trade Commission, all stocks and assets of its "super-market group" which consist of three grocery-store chains, a drug-store chain, a dairy company and a baking concern; and to dispose of its stock interest in four other concerns operating supermarkets.

The order of divestiture, including further order requiring report of compliance therewith, is as follows:

I. *It is ordered*, That respondent, Consolidated Foods Corp., a corporation, and its officers, directors, agents, representa-

tives, and employees, shall divest, absolutely and in good faith, of all stocks, assets, properties, rights and privileges, tangible and intangible, including but not limited to, all contract rights, plants, stores, machinery, equipment, trade names, trademarks, and goodwill acquired by Consolidated Foods Corp. as a result of the acquisition of stock, share capital or assets of Piggly-Wiggly Midwest Co., Inc., Quality Food Stores, Inc., May Drug Stores, Inc., Golden Dairy Co., Coin Baking Co., and Eagle Food Centers, Inc., together with all additions and improvements which have been added thereto as may be necessary to reconstitute each such corporation, or new corporation in the event divestiture is effected through one corporation, as a going concern and viable competitor in the industry in which it is engaged.

II. *It is further ordered*, That respondent, Consolidated Foods Corp., a corporation, and its officers, directors, agents, representatives, and employees, shall divest itself absolutely and in good faith, of its stock interest in (1) Food Giant, Inc., Columbus, Ohio; (2) La Porte City Foods, Inc., La Porte City, Iowa; (3) Pearson's Food Market, Inc., Anamosa, Iowa; and (4) Stockton Foods, Inc., Stockton, Ill.

III. *It is further ordered*, That, pending divestiture, respondent shall not make any changes in any of the aforesaid corporations which would impair their capacity for the sale of food and grocery products, or their market value.

IV. *It is further ordered*, That, in said divestitures, respondent shall not sell or transfer, directly or indirectly, any of said stock or assets (1) to any person who is, at the time of divestiture, an officer or director of, or under the control or direction of, Consolidated Foods Corp., or any of its subsidiaries or affiliates, or to any person who owns or controls more than one (1) percent of the outstanding shares of common stock of Consolidated Foods Corp. or any of its subsidiaries or affiliates; or (2) to any purchaser who is not approved in advance by the Federal Trade Commission.

V. If Consolidated Foods Corp. transfers the assets, properties, rights, and privileges described in Paragraph I of this order to a corporation, the stock of which is wholly owned by Consolidated Foods Corp., and if Consolidated Foods Corp. then markets all of the stock in said corporation in a separate public offering, then Paragraph IV of this order shall be inapplicable, and the following Paragraphs VI and VII shall take force and effect in its stead.

VI. No person who is an officer, director or executive of Consolidated Foods Corp., or who owns or controls, directly or indirectly, more than one (1) percent of the stock of Consolidated Foods Corp., shall be an officer, director or executive employee of any corporation described in Paragraph V, or shall own or control, directly or indirectly, more than one (1) percent of the stock of any corporation described in Paragraph V.

VII. As used in this order, the word "person" shall include all members of the immediate family of the individual specified, and shall include corporations,

partnerships, associations and other legal entities.

VIII. *It is further ordered*, That respondent shall not, without the prior approval of the Federal Trade Commission, acquire any part of the stock or assets of any retail establishment which is classified in Standard Industrial Classification Industry Number 5411 (Grocery Stores With or Without Fresh Meats) and Standard Industrial Classification Industry Number 5451 (Dairy Product Stores), as described in the Standard Industrial Classification Manual published by the Bureau of the Budget in 1957; except that nothing in this section shall require prior approval of an acquisition of stock or assets in a corporation operating not more than three such retail establishments which are sponsored by or affiliated with a wholesale establishment operated by respondent where the contract by which respondent acquires said stock or assets requires respondent to divest its ownership interest within a period not in excess of 3 years from the date of such acquisition.

IX. *It is further ordered*, That respondent shall make every reasonable effort to effect a divestiture pursuant to sections I and II of this order within a period of three (3) years from the date of service upon it of this order; *Provided, however*, That, if divestiture has not been effected within said 3-year period, the Commission shall grant respondent written notice and an opportunity to be heard before issuing any further order or orders which may be deemed appropriate. If at that time respondent shows it has made a good faith effort and that failure to accomplish divestiture within the 3-year period cannot be attributed to delays by it, the Commission will grant an additional period not to exceed 2 years in which to complete the divestiture.

X. *It is further ordered*, That respondent shall, within ninety (90) days after the date of service upon it of this order, and every ninety (90) days thereafter until respondent has fully complied with the divestitures ordered herein, submit to the Federal Trade Commission a written report setting forth in detail the manner and form in which respondent intends to comply, or is complying or has complied with this order, together with such other information relating to compliance as may be requested by the Federal Trade Commission.

Issued: December 21, 1965.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66-986; Filed, Jan. 27, 1966; 8:46 a.m.]

[Docket C-1025]

PART 13—PROHIBITED TRADE PRACTICES

Harry Camp Millinery Co. et al.

Subpart—Advertising falsely or misleadingly: Sec. 13.30 *Composition of goods.* 13.30-30 Fur Products Labeling Act; 13.30-100 Wool Products Labeling

Act. Subpart—Invoicing products falsely: Sec. 13.1108 *Invoicing products falsely*. 13.1108-45 Fur Products Labeling Act. Subpart—Misbranding or mislabeling: Sec. 13.1185 *Composition*. 13.1185-30 Fur Products Labeling Act; 13.1185-90 Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply Sec. 5, 38 Stat. 719, as amended; Secs. 2-5, 54 Stat. 1128-1130; Sec. 8, 65 Stat. 179; 15 U.S.C. 45, 68, 69f) [Cease and desist order, Harry Camp Millinery Co. et al., San Francisco, Calif., Docket C-1025, Dec. 21, 1965]

In the Matter of Harry Camp Millinery Co., a Corporation, and Harry F. Camp, Jr., Meyer M. Camp, and David L. Wilson, Individually and as Officers of Said Corporation

Consent order requiring a California retailer of wool and fur hats which operates some 200 leased departments in department stores in 23 States to cease misbranding its hats and falsely invoicing and advertising its fur products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Harry Camp Millinery Co., a corporation, and its officers, and Harry F. Camp, Jr., Meyer M. Camp, and David L. Wilson, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from introducing into commerce, selling, advertising or offering for sale in commerce, or transporting or distributing any fur product, in commerce; or from selling, advertising, offering for sale, transporting or distributing, any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce," "fur" and "fur product" are defined in the Fur Products Labeling Act:

A. Unless there is securely affixed to each such product a label showing in words and in figures plainly legible all of the information required to be disclosed by each of the subsections of section 4 (2) of the Fur Products Labeling Act.

B. To which fur product is affixed a label required by section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder:

(1) Which fails to set forth the term "Dyed Broadtail-processed Lamb" in the manner required where an election is made to use that term in lieu of the term "Dyed Lamb".

(2) Which fails to set forth the term "Natural" as part of the information required to be disclosed on labels under the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder, to describe fur products which are not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

(3) Which fails to set forth information required under section 4(2) of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder on labels in the sequence required by Rule 30 of the aforesaid Rules and Regulations.

It is further ordered, That respondents Harry Camp Millinery Co., a corporation, and its officers, and Harry F. Camp, Jr., Meyer M. Camp, and David L. Wilson, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the sale, advertising, offering for sale, transportation, or distribution of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as "commerce," "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices, as the term "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed in each of the subsections of section 5(b) (1) of the Fur Products Labeling Act.

2. Setting forth information required under section 5(b) (1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

3. Failing to set forth the term "Natural" as part of the information required to be disclosed on invoices under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

4. Failing to set forth on invoices the item number or mark assigned to fur products.

B. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement or notice which is intended to aid, promote or assist directly or indirectly, in the sale, or offering for sale of any fur products, and which:

1. Fails to set forth in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(a) of the Fur Products Labeling Act.

2. Fails to set forth the term "Natural" as part of the information required to be disclosed in advertisements under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed or otherwise artificially colored.

It is further ordered, That respondents Harry Camp Millinery Co., a corporation, and its officers, and Harry F. Camp, Jr., Meyer M. Camp, and David L. Wilson, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from introducing into commerce, or offering for sale, selling, transporting, distributing or delivering for shipment in

commerce, wool hats or other wool products as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939 unless each such wool hat or other wool product has securely affixed thereto or placed thereon a stamp, tag, label or other means of identification correctly showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a) (2) of the Wool Products Labeling Act of 1939.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: December 21, 1965.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 66-987; Filed, Jan. 27, 1966; 8:46 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs,
Department of the Treasury

[T.D. 66-20]

PART 54—CERTAIN IMPORTATIONS TEMPORARILY FREE OF DUTY

Free Entry of Personal and Household Effects

The free entry of personal and household effects, under certain conditions and in connection with Government orders, has been given to persons in the service of the United States returning from extended-duty assignments and to certain returning members of their families for many years under temporary legislation extended periodically. The Tariff Schedules of the United States incorporated this privilege under item 915.20. The item provides that the privilege is subject to such limitation on the importation of alcoholic beverages and tobacco products as the Secretary of the Treasury may prescribe.

Under the discretionary power vested in the Secretary of the Treasury regarding the exemption for alcoholic beverages for persons in the service of the United States returning from extended-duty assignments outside the United States, the regulations are amended to reduce the allowances for such beverages to correspond approximately to those of returning residents under Public Law 89-62, approved June 30, 1965, while at the same time permitting additional duty-free importations up to the amount previously allowed which do not adversely affect the Administration's program for eliminating the balance-of-payments deficit.

Accordingly, paragraphs (a) and (c) and the citation of authority of § 54.2 of the Customs Regulations are amended to read as follows:

§ 54.2 Free entry of personal and household effects of certain classes of persons in the service of the United States, or of their families, and of evacuees.

(a) Under item 915.20 of the Tariff Schedules of the United States, free entry may be accorded to the personal and household effects (with the limitation on alcoholic beverages and tobacco products prescribed by paragraph (c) of this section) of any person in the service of the United States who returns to the United States upon the termination of assignment to extended duty at a post or station outside the customs territory of the United States, or of returning members of his family who have resided with him at such post or station, or of any person evacuated to the United States under Government orders or instructions, provided such effects are entered or withdrawn from warehouse for consumption during the effective period of such item.

(c) A total of not more than 1 wine gallon of alcoholic beverages and not more than 100 cigars shall be accorded free entry under item 915.20 of the Tariff Schedules of the United States, subject to the limitations that:

(1) The articles accompany the person making the claim for free entry upon his arrival in the United States;

(2) Not more than 1 quart of any such alcoholic beverages shall have been distilled or otherwise manufactured and bottled in any place other than the United States or its possessions;

(3) Such individual has not concurrently claimed exemption as a returning resident under items 813.30 and 813.31, Tariff Schedules of the United States, and

(4) Such person, if other than one in the service of the United States, shall have attained the age of 21.

(77A Stat. 434, secs. 481, 484, 498, 46 Stat. 719, 722, as amended, 728, as amended; 19 U.S.C. 1202 (item 915.20), 1481, 1484, 1498)

(77A Stat. 14, sec. 624, 46 Stat. 759; 19 U.S.C. 1202 (Gen. Hdnote 11), 1624)

Notice of the proposal to change the exemption for alcoholic beverages under item 915.20 of the Tariff Schedules of the United States was published in the FEDERAL REGISTER of September 14, 1965 (30 F.R. 11723), pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003). All data, views, and arguments which were received in response thereto have been considered.

This amendment shall be effective with respect to persons arriving in the United States on and after March 1, 1966.

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

Approved: January 20, 1966.

TRUE DAVIS,
Assistant Secretary
of the Treasury.

[F.R. Doc. 66-1007; Filed, Jan. 27, 1966;
8:48 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

COMPONENTS OF PAPER AND PAPERBOARD IN CONTACT WITH AQUEOUS AND FATTY FOODS—

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 5B1557) filed by Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex., 77001, and other relevant material, has concluded that § 121.2526 of the food additive regulations should be amended to provide for the use of certain petroleum alicyclic hydrocarbon resins and the hydrogenated product thereof as modifiers for wax-polymer blend coatings for corrugated paperboard

intended for use in bulk packaging of raw fruits, raw vegetables, iced meat, iced fish, and iced poultry. The Commissioner has further concluded that it is impractical and unnecessary to require such wax-polymer blend coated corrugated paperboard containers to meet heptane fatty-food simulant extractive limits when such containers are used in bulk packaging of iced meat, iced fish, and iced poultry.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90), § 121.2526 is amended by inserting alphabetically in the list of substances in paragraph (b) (2) a new item and by changing the footnote to table 2 of paragraph (c). The affected portions read as follows:

§ 121.2526 Components of paper and paperboard in contact with aqueous and fatty foods.

(b) * * *
(2) * * *

List of substances

Petroleum alicyclic hydrocarbon resins, or the hydrogenated product thereof, meeting the following specifications: Softening point 97° C. minimum, as determined by ASTM Method E 28-58T; aniline point 120° C. minimum, as determined by ASTM Method D 611-64; and specific gravity 0.96-0.99 (20° C./20° C.). Such petroleum hydrocarbon resins are produced by the catalytic polymerization of dienes and olefins from low-boiling distillates of cracked petroleum stocks that contain no material boiling over 200° C. and that meet the following ultraviolet absorbance limits as determined by analytical methods available upon request from the Commissioner of Food and Drugs:

Limitations

For use only as modifiers in wax-polymer blend coatings for corrugated paperboard intended for use in bulk packaging of raw fruits, raw vegetables, iced meat, iced fish, and iced poultry; and limited to use at a level not to exceed 30 weight-percent of the coating solids.

Wavelength	Maximum absorbance per cm. optical pathlength
280-289 mμ	0.6
290-299 mμ	0.4
300-359 mμ	0.3
360-400 mμ	0.06

(c) * * *

TABLE 2—

¹Heptane extractability results must be divided by a factor of five in arriving at the extractability for a food product having water-in-oil emulsion or free oil or fat. Heptane food-simulating solvent is not required in the case of wax-polymer blend coatings for corrugated paperboard containers intended for use in bulk packaging of iced meat, iced fish, and iced poultry.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW.,

Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c) (1), 72 Stat. 1786; 21 U.S.C. 348 (c) (1))

Dated: January 24, 1966.

J. K. KIRK,
Assistant Commissioner
for Operations.

[F.R. Doc. 66-1001; Filed, Jan. 27, 1966;
8:47 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 33—SPORT FISHING

Mingo National Wildlife Refuge, Mo.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

MISSOURI

MINGO NATIONAL WILDLIFE REFUGE

Sport fishing on the Mingo National Wildlife Refuge, Mo., is permitted in all waters on the refuge. These waters comprise about 4,300 acres. Maps and information are available at refuge headquarters. Sport fishing shall be in accordance with all applicable State regulations subject to the following conditions:

(1) Open season: March 15, 1966, through September 30, 1966, daylight hours only.

(2) The use of boats, without motors, is permitted.

(3) Nongame fish may be taken with gig or longbow.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through September 30, 1966.

JOHN E. TOLL,
Refuge Manager, Mingo National Wildlife Refuge, Puxico, Mo.

JANUARY 21, 1966.

[F.R. Doc. 66-988; Filed, Jan. 27, 1966;
8:46 a.m.]

PART 33—SPORT FISHING

Klamath Forest National Wildlife Refuge, Ore.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

OREGON

KLAMATH FOREST NATIONAL WILDLIFE REFUGE

Sport fishing on the Klamath Forest National Wildlife Refuge, Ore., is permitted only on the area designated by signs as open to fishing. This open area is delineated on maps available at the refuge headquarters, Tule Lake National Wildlife Refuge, Tulelake, Calif., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 Northeast Holladay Street, Portland, Ore., 97208. Sport fishing shall be in accordance with all applicable State regulations, subject to the following special conditions:

(1) The refuge shall be open for bullhead fishing the entire year. Seasons for other, minor species will be in accordance with applicable State regulations.

(2) The use of boats is not permitted. The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective to January 1, 1967.

JOHN D. FINDLAY,
Acting Regional Director, Bureau of
Sport Fisheries and Wildlife.

JANUARY 20, 1966.

[F.R. Doc. 66-989; Filed, Jan. 27, 1966;
8:46 a.m.]

PART 33—SPORT FISHING

Upper Klamath National Wildlife Refuge, Ore.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

OREGON

UPPER KLAMATH NATIONAL WILDLIFE REFUGE

Sport fishing on the Upper Klamath National Wildlife Refuge, Ore., is permitted only on the area designated by signs as open to fishing. This open area, comprising 1,000 acres, is delineated on maps available at the refuge headquarters, Tule Lake National Wildlife Refuge, Tulelake, Calif., and from the Office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 Northeast Holladay Street, Portland, Ore., 97208. Sport fishing shall be in accordance with all applicable State regulations, subject to the following special conditions:

(1) The sport fishing season on the refuge extends from April 23 through October 31, 1966.

(2) Boats with motors are permitted for fishing. Speed boats shall not exceed 10 miles per hour on that part west of a line beginning at a point on the north shore of Pelican Bay one-fourth mile east of Crystal Creek and extending due south to opposite shore of lake; and in any stream, creek, or canal leading into said described portion of the lake.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective to November 1, 1966.

JOHN D. FINDLAY,
Acting Regional Director, Bureau of
Sport Fisheries and Wildlife.

JANUARY 20, 1966.

[F.R. Doc. 66-990; Filed, Jan. 27, 1966;
8:46 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 1—Federal Procurement Regulations

PART 1-3—PROCUREMENT BY NEGOTIATION

Subpart 1-3.2—Circumstances Permitting Negotiation

EXPERIMENTAL, DEVELOPMENTAL, OR RESEARCH WORK

This amendment eliminates the requirement regarding the submission by agencies of semiannual reports to Congress on purchases or contracts for experimental, developmental, or research work negotiated pursuant to section 302(c) (11) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 393; 41 U.S.C. 252(c) (11)). The statutory requirement for such reports was repealed by Public Law 89-348, approved November 8, 1965.

Section 1-3.211 is revised to delete paragraphs (c) from its provisions.

§ 1-3.211 Experimental, developmental, or research work.

(c) [Deleted]

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. These regulations are effective on publication in the FEDERAL REGISTER. Reports for the period July 1 through December 31, 1965, need not be submitted.

Dated: January 24, 1966.

LAWSON B. KNOTT, Jr.,
Administrator
of General Services.

[F.R. Doc. 66-997; Filed, Jan. 27, 1966;
8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and
Conservation Service

[7 CFR Part 814]

MAINLAND CANE SUGAR AREA

Notice of Hearing on Proposed Allotment Regarding 1966 Sugar Quota

Pursuant to the authority contained in the Sugar Act of 1948, as amended (61 Stat. 922, as amended), and in accordance with the applicable rules of practice and procedure (7 CFR 801.1 et seq.) the Secretary of Agriculture has, after due notice (30 F.R. 14380) and hearing, found that allotment of the 1966 sugar quota for the Mainland Cane Sugar Area is necessary to prevent disorderly marketing and to afford all interested persons an equitable opportunity to market sugar, and has established preliminary allotments of a portion of such quota, until the date allotments of the 1966 calendar year sugar quota for the Mainland Cane Sugar Area are prescribed on the basis of a subsequent hearing.

Notice is hereby given that a public hearing will be held at New Orleans, La., in the Century Room of the Monteleone Hotel on February 9, 1966, at 9:30 a.m., e.s.t., for the purpose of receiving evidence to enable the Secretary of Agriculture to make a fair, efficient and equitable distribution of the above-mentioned quota for the entire calendar year 1966 among persons who process and market sugar produced from sugarcane grown in the Mainland Cane Sugar Area. It will be appropriate at the hearing to present evidence on the basis of which the Secretary may affirm, modify, or change the finding which has been made with respect to necessity for allotment and make or withhold allotment of any such quota in accordance therewith.

In addition, the subjects and issues of this hearing include (1) the manner in which consideration should be given to the statutory factors as well as the need for establishing allotments as may be necessary to avoid unreasonable carry-over of sugar, as provided in section 205 (a) of the Act; (2) the manner in which marketings within allotments shall be restricted; and (3) a provision for the transfer of allotments under circumstances of a succession of interest.

Notice also is given hereby that it will be appropriate at the hearing to present evidence on the basis of which the Secretary may revise or amend the allotment of the quota, or proration thereof for the purposes of (1) allotting any increase or decrease in the quota; (2) prorating any deficit in the allotment for any allottee; and (3) substituting revised estimates or final data for estimates of such data

wherever estimates are used in the formulation of an allotment of the quota.

Signed this 25th day of January 1966.

JOHN A. SCHNITTKER,
Acting Secretary.

[F.R. Doc. 66-1023; Filed, Jan. 27, 1966;
8:49 a.m.]

Consumer and Marketing Service

[7 CFR Part 1067]

[Docket No. AO-222-A17]

MILK IN OZARKS MARKETING AREA

Notice of Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the Ozarks marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C., 20250, by the 3d day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Preliminary statement. The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order as amended, were formulated, was conducted at Springfield, Mo., on November 16, 1965, pursuant to notice thereof which was issued October 23, 1965 (30 F.R. 13728).

The material issue on the record of the hearing relates to the clarification and revision of the definition of a fluid milk product.

Findings and conclusions. The following findings and conclusions on the material issue is based on evidence presented at the hearing and the record thereof:

The definition of "fluid milk product" should be revised to specifically include fortified milk or skim milk, concentrated milk, and reconstituted milk or skim

milk. The definition should exclude frozen dessert mixes, sterilized milk and milk products in hermetically sealed containers. It should also exclude sour cream or sour cream mixtures which are disposed of without a Grade A label.

The definition of "fluid milk product" serves to specify the forms of milk and milk products of which disposition by handlers is ordinarily classified as Class I. These categories of products included are those intended for fluid consumption and for which Grade A milk is required. Exceptions to Class I classification, as in the case of livestock feed, are specified in the definitions of Class I and Class II milk. The definition of fluid milk product is also used to describe forms in which milk or milk products are transferred between plants, and thus facilitates the formulation of classification rules for such transfers.

Fortified fluid milk products are presently specified in the definition of Class I milk in an amount equal to the weight of an equal volume of unmodified product of the same nature and butterfat content. For convenience fortified milk and skim milk should be named in the definition of fluid milk product.

The definition of fluid milk product should be made specific with respect to certain product forms. Concentrated milk should be named as a fluid milk product so that its classification as Class I milk is explicit. Concentrated milk is a fluid product, unsterilized and unsweetened, resulting from the removal of a considerable portion of the water from milk. When recombined with water it conforms with the standards for milk with respect to milk fat and solids not fat content. It is thus a fluid item intended for consumption in a manner similar to whole milk and in this market must be made from Grade A milk if sold as a Grade A product. The inclusion of concentrated milk or skim milk as a fluid milk product, however, is not intended to include evaporated or condensed milk or skim milk which are not required to be made from Grade A milk.

Reconstituted milk or skim milk should also be named as a fluid milk product. Reconstituted milk is a product which results from recombining milk constituents with water. Reconstituted skim milk, similarly, results from recombining nonfat milk solids with water. These products must be prepared from Grade A milk if sold as a Grade A product.

Concentrated milk and reconstituted milk or skim milk compete for the same sales as whole milk or skim milk of Grade A quality. It is concluded that these items should be specifically named in the definition of fluid milk product, so that disposition of such products will be classified as Class I.

Ice cream mix is presently excluded from the fluid milk product definition. Other products, which along with ice cream mix are generally referred to as frozen dessert mixes, should also be specifically excluded. These items are not intended for fluid consumption and are not required to be made from Grade A milk. These products are available from handlers under other nearby Federal orders under which applicable classification is Class II. Such classification also applies under this order, and should be made explicit by the modification of the definition of fluid milk product to exclude frozen dessert mixes.

The definition of fluid milk product should exclude sterilized milk or milk products in hermetically sealed containers. Sterilized cream for whipping is manufactured by Producers Creamery Co. which is a handler under the order. It is processed from milk not qualified as Grade A, commonly termed manufacturing grade milk. Pasteurized cream from such milk is sterilized by heat in hermetically sealed bottles. Such sterilized products are not considered by State officials to be within the scope of Missouri statutes governing the processing and sale of Grade A dairy products. Sterilized dairy products do not depend on the Grade A inspected milk supply which is the subject of order pricing regulation. The product manufactured by the Ozarks handler competes with similar products of ungraded sources produced in other areas. Accordingly sterilized milk and milk products disposed of in hermetically sealed containers should not be classified as Class I. This would be accomplished by exclusion of such products from the definition of fluid milk product.

Sour cream and sour cream mixtures marketed without Grade A label should be classified as Class II milk. Such products are commonly made from non-Grade A milk with preservative added so that they may have a shelf life, without refrigeration, up to 30 days. There are, however, sour cream mixtures sold in the marketing area as fresh products made with Grade A milk, without preservative, and sold with Grade A label. Any such product bearing a Grade A label would be Class I.

The classification of sour cream or sour cream mixtures does not require a specification as to quantity of other food substances added to sour cream. Administratively it is desirable to exclude from the fluid milk product definition sour cream and sour cream mixtures which do not carry a Grade A label regardless of whether such products contain other ingredients. These products when marketed without a Grade A label are not required to be made from Grade A milk and must compete with similar products made from either Class II milk under another order or milk of a manufacturing grade.

Rulings on proposed findings and conclusions. A brief with proposed findings and conclusions was filed on behalf of an interested party. This brief, proposed findings and conclusions and the evidence in the record were considered

in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by such interested party are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Recommended marketing agreement and order amending the order. The following order amending the order as amended regulating the handling of milk in the Ozarks marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended:

Revise § 1067.17 to read as follows:

§ 1067.17 Fluid milk product.

Fluid milk product means milk, skim milk, buttermilk, milk drinks (plain or flavored), concentrated milk, fortified milk or skim milk, reconstituted milk or skim milk, cream (sweet or sour), and any mixture of fluid milk, skim milk or cream (except frozen dessert mixes, egg-nog, aerated cream, sterilized milk, and milk products in hermetically sealed containers and sour cream or sour cream mixtures which are not disposed of under a Grade A label).

Signed at Washington, D.C., on January 25, 1966.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 66-1024; Filed, Jan. 27, 1966; 8:49 a.m.]

[7 CFR Part 1099]

[Docket No. AO-183-A13]

MILK IN PADUCAH, KY., MARKETING AREA

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Paducah, Ky., on November 17 and 18, 1965, pursuant to notice thereof issued on October 21, 1965 (30 F.R. 13581).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Regulatory Programs, on January 10, 1966 (31 F.R. 434; F.R. Doc. 66-422) filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues, findings and conclusion, rulings and general findings of the recommended decision (31 F.R. 434; F.R. Doc. 66-422) are hereby approved and adopted as set forth in full herein subject to the following modification:

The first, tenth and eleventh paragraphs of Issue No. 2(a) are revised.

The material issues on the record of the hearing relate to:

1. Marketing area.

2. Class I prices:

(a) Class I prices through June 1966, and

(b) Class I prices after June 1966.

3. Diversion of producer milk to non-pool plants.

4. Classification of shrinkage.

5. Location adjustments for handlers.

6. Butterfat differentials for handlers.

7. Seasonal adjustment of payments to producers under a "Louisville plan."

8. Classification of disposition as animal feed and miscellaneous and conforming changes.

This decision covers only Class I prices under the Paducah, Ky., order through June 30, 1966 (Issue No. 2(a)). The remaining issues of the hearing including Class I prices for months subsequent to June 1966 will be considered in a further decision on the record.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

2(a) **Class I price.** The prices for Class I milk for the months of February through June 1966 should be not less

than the following: \$4.90 per hundredweight in the month of February 1966, and \$4.70 in March through June 1966. The price for plants in the marketing area in Missouri should be 10 cents higher than at Paducah.

The producer milk supply for the Paducah market is obtained from nearby areas in Kentucky, Tennessee, and Missouri. About 86 percent of the producers are located in Kentucky, largely within the marketing area, and the remainder are evenly divided between Tennessee and Missouri.

Class I utilization of producer milk in 1965 was higher than in 1964.¹ Class I milk sales of handlers during the 11-month period of January through November of 1965 increased 16.6 percent over the Class I sales of the same months of the year previously. Producer milk supplies for the same two periods increased 12.4 percent. Producer milk used in Class I averaged 88.4 percent in the first 11 months of 1965 compared to 85.2 percent the year previous in the same months. Recently the Paducah Class I utilization has been at a high level, so that in September, October, and November 1965, Class I use of producer milk was 95 percent, 93 percent and 94 percent, respectively.

The milk supply and demand situation in the Paducah market is affected by the St. Louis and Suburban St. Louis markets. The Paducah marketing area adjoins the St. Louis marketing area at the boundary of Cape Girardeau County in Missouri and there is overlapping of handlers' sales areas under the two orders. A number of Paducah producers are located in the St. Louis marketing area in Perry, Bollinger, and Cape Girardeau Counties, Mo. Further, there are Suburban St. Louis producers located in the Paducah marketing area. In December 1964, there were 242 Suburban St. Louis producers within the Paducah marketing area.

The milk supply situation in the St. Louis market in 1965 reflected a higher average utilization in Class I than in 1964.² Although in October 1965 St. Louis had a lower Class I utilization of producer milk than in October 1964, in November 1965, a substantial increase in Class I sales of handlers further increased utilization over the year before. November Class I sales were 11 percent over the year previous compared to a 2-percent increase in producer milk supply. In the St. Louis market in November, 86 percent of producer receipts were utilized in Class I milk and in Suburban St. Louis 83 percent, as compared to 79 percent and 84 percent in November 1964, in the respective markets.

At the high level of Class I utilization presently in the Paducah market, only a small reserve in excess of Class I needs exists. The adequacy of supply for the

market would be threatened therefore if the Class I price level does not reflect the overall supply-demand situation for the market including the relationships with the St. Louis and Suburban St. Louis markets. Official notice is taken of the decision issued November 23, 1965 (30 F.R. 14848), in which it was decided that the Class I prices under the St. Louis and Suburban St. Louis orders should be held for December 1965 and January and February 1966 at the November 1965 level, and 20 cents less for March through June. Similar action was taken also in ten other markets in that decision.

Producers requested that the Paducah Class I price provisions be changed to reflect any temporary or longer-term change in the pricing in other markets resulting from the hearing in Chicago on 12 markets. If prices were fixed for Paducah in the same manner for the same months, that is, based on the November 1965 price of \$4.79, the result would differ from that in the other markets. This is because the Paducah seasonal Class I price differentials do not drop from November to December as they normally do in St. Louis, Suburban St. Louis and the other markets in which the price adjustment was made. In the Paducah order, the seasonal Class I differentials are the same in all the months of August through February. Further, this method would have reduced the December price of \$4.84 and January price of \$4.92.

The producer association contended that historically the Paducah Class I price level has been somewhat more than 20 cents over the Suburban St. Louis Class I price. The association indicated that a 20-cent differential should be maintained for all months of January through June 1966.

Such average differences, during the years 1964 and 1965, were 21 cents and 23 cents, respectively, over the Suburban St. Louis price. The difference has varied widely, however, in monthly relationships ranging from zero to 54 cents. Such variations are due to different seasonal changes in the Class I price differentials in the two orders and the action of the supply-demand and adjustment in the Suburban St. Louis order. It is concluded therefore that such historical data do not provide a very precise basis for a proper price relationship between the two markets.

The January level of the Paducah Class I price under existing order provisions is \$4.92, which slightly exceeds that proposed by producers for January and February 1966. In view of supply and demand conditions previously referred to, it is concluded that the Paducah Class I prices for the period through June 1966 should be not less than \$4.90 per hundredweight for the month of February, and \$4.70 per hundredweight for the months of March through June. Such prices are necessary to assure an adequate supply of pure and wholesome milk during this period. These prices are minimum prices which could be exceeded in any month in which the present price formula might produce a higher figure.

Although the recommended decision concluded that a lower price for May and June was desirable for purposes of seasonal adjustment of supply, producers, in their exceptions, stated that in this case it is necessary that the May and June Class I prices be maintained at the same level as the March-April price. Because of the relationship of the Paducah market supply to supplies of other nearby markets, they argued that it is important, during this temporary period, that the seasonal pricing for Paducah be co-ordinated with the Suburban St. Louis and St. Louis seasonal price changes. This would require a minimum Class I price for May and June of \$4.70. Other exceptions filed supported such price.

The price adjustment herein considered is for a temporary period within which the principal consideration is a matter of adequate reserve supply both in this market and within the region where other Federal order market prices already have been adjusted upwards because of this situation. The relationship of supplies and prices in the Paducah market with other markets was considered on the record and is set forth in the preceding findings and conclusions. While seasonal Class I pricing as discussed in the recommended decision is important in the Paducah market for purposes of encouraging proper adjustment of producer milk supply, it is concluded that during this temporary period it is more important that there be a co-ordination of the seasonal pricing with the other markets for which similar temporary price adjustment has been made. This is necessary to reflect the threat to reserve of milk supply within the region. It is concluded, therefore, that the May-June minimum price should be \$4.70.

Paducah handlers compete for sales with Memphis handlers in Tennessee areas and with Central Arkansas handlers in Missouri area, and dairy farmers supplying both the Paducah and Memphis markets are intermingled in some areas of Southern Kentucky and Northern Tennessee. The amendments to the Paducah order herein recommended will tend to lessen price differences compared to the Memphis and also Central Arkansas markets. Prior price stabilizing action under the Memphis order, effective December 15, 1965, has limited the supply-demand adjustment to not more than 25 cents per hundredweight. This will also tend to limit price differences between Paducah and Memphis markets.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

¹ Official notice is taken of the official announcements of the market administrator since the close of the hearing.

² Official notice is taken of the official announcements of the market administrator for the Suburban St. Louis and St. Louis markets for 1964 and 1965.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interests; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Rulings on exceptions. In arriving at the findings and conclusions, and the regulatory provisions of this decision, each of the exceptions received was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions, and the regulatory provisions of this decision are at variance with any of the exceptions, such exceptions are hereby overruled for the reasons previously stated in this decision.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Paducah, Kentucky, Marketing Area," and "Order Amending the Order Regulating the Handling of Milk in the Paducah, Kentucky, Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered. That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

Determination of representative period. The month of November 1965 is hereby determined to be the representative period for the purpose of ascertain-

ing whether the issuance of the attached order, as amended and as hereby proposed to be amended, regulating the handling of milk in the Paducah, Ky., marketing area, is approved or favored by producers, as defined under the terms of the order, as amended and as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on January 21, 1966.

GEORGE L. MEHREN,
Assistant Secretary.

ORDER AMENDING THE ORDER REGULATING
THE HANDLING OF MILK IN THE PADUCAH,
KY., MARKETING AREA

§ 1099.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) Findings upon the basis of the hearing record. Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Paducah, Ky., marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

* This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Paducah, Ky., marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby amended, as follows:

The provision of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator, Regulatory Programs, on January 10, 1966, and published in the FEDERAL REGISTER on January 13, 1966 (31 F.R. 434; F.R. Doc. 66-422), shall be and are the terms and provisions of this order, and is set forth in full herein subject to the following revision:

In § 1099.51, paragraph (a) is revised to read as follows:

§ 1099.51 Class prices.

(a) **Class I milk price.** The price of Class I milk for the month shall be the basic formula price for the preceding month plus \$1.05 in April, May, and June, \$1.15 in July and March and \$1.45 in the other months: *Provided*, That 10 cents shall be added to the price for Class I milk at pool plants located within that portion of the marketing area in the State of Missouri: *And provided further*, That the Class I prices for the months of February through June 1966 shall be not less than the following: \$4.90 for February 1966, and \$4.70 for March through June 1966; and the price for Class I milk at pool plants located within that portion of the marketing area in the State of Missouri shall be 10 cents higher than the applicable price for these months at the Paducah location.

[F.R. Doc. 66-992; Filed, Jan. 27, 1966; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 53]

CANNED TOMATOES

Standards of Identity and Quality

A. Notice is given that the National Canners Association, 1133 20th Street NW., Washington, D.C., 20005, has filed a petition proposing that the definition and standard of identity and the standard of quality for canned tomatoes (21 CFR 53.40, 53.41) be amended as follows:

1. By changing in § 53.40 *Canned tomatoes; identity; label statement of optional ingredients* the portion of paragraph (a) that reads "which are peeled and cored" to read "which are properly prepared for canning, which may or may not be peeled."

b. By adding to paragraph (a) three subparagraphs as follows:

() Tomato paste or tomato puree that conforms to the applicable standard of identity.

() Any edible organic acidifying agent that either is not a food additive or is used in conformity with a food additive regulation established pursuant to section 409 of the Federal Food, Drug, and Cosmetic Act.

() Any nutritive sweetener in solid form.

c. By changing paragraph (b) so that when optional packing media specified in paragraph (a) are not used the label may bear the statement "Solid Pack" or "Solid Pack Whole," and by further changing paragraph (b) to prescribe label declaration for the optional ingredients used, with the exception of salt.

d. By adding a new paragraph (c):

(c) When tomatoes are not peeled the label shall bear the statement "Unpeeled" or "Without peel removed" and wherever the name "tomatoes" appears on the label so conspicuously as to be easily read under customary conditions of purchase, such statement shall immediately and conspicuously precede or follow the words tomatoes, without intervening written, printed, or graphic matter.

2. By changing § 53.41 *Canned tomatoes; quality; label statement of standard quality*, in consideration of the recognition given to canned unpeeled tomatoes in the identity standard, to show that the test for the amount of peel in the finished food is not to be applied in the case of canned unpeeled tomatoes.

B. Notice is also given that the Commissioner of Food and Drugs, on his own initiative, proposes that salt be included with those optional ingredients designated for label declaration when used in canned tomatoes.

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended, 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.90), all interested persons are invited to submit their views in writing, preferably in quintuplicate, regarding this proposal. Such views and comments should be addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, within 60 days following the date of publication of this notice in the FEDERAL REGISTER, and may be accompanied by a memorandum or brief in support thereof.

Dated: January 21, 1966.

J. K. KIRK,
Assistant Commissioner
for Operations.

[F.R. Doc. 66-1005; Filed, Jan. 27, 1966;
8:47 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Polyurethane Resins

The Commissioner of Food and Drugs has received a petition (FAP 5B1783) from American Cyanamid Co., Wayne,

N.J., 07470, proposing that § 121.2522 be amended to provide for the safe use of 4,4'-diisocyanato-3,3'-dimethylbiphenyl in the preparation of polyurethane resins that contact dry bulk foods. Having considered the data submitted in the petition, and other relevant information, the Commissioner proposes on his own initiative that, in addition to the amendment petitioned for, the regulation be amended to:

A. Clearly indicate that the term "dry bulk foods" refers to bulk foods that are dry solids with the surface containing no free fat or oil;

B. Revise the description of polyurethane resins to clearly distinguish the polyurethane resin-forming materials from the optional adjuvant substances employed in the production of the polyurethane resins or added to the polyurethane resins to impart desired physical or technical properties; and

C. Delete references to substances generally recognized as safe or used in accordance with a prior sanction or approval and substances permitted for use by existing regulations in Subpart F, as provided for in § 121.2500(d).

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (c) (1), (d), 72 Stat. 1786, 1787; 21 U.S.C. 348 (c) (1), (d)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21

CFR 2.90), it is proposed that § 121.2522 be revised to read as follows:

§ 121.2522 Polyurethane resins.

The polyurethane resins identified in paragraph (a) of this section may be safely used as the food-contact surface of articles intended for use in contact with bulk quantities of dry food of the type identified in § 121.2526(c), table 1, under type VIII, in accordance with the following prescribed conditions:

(a) For the purpose of this section, polyurethane resins are those produced when one or more of the isocyanates listed in subparagraph (1) of this paragraph is made to react with one or more of the substances listed in subparagraph (2) of this paragraph:

(1) Isocyanates:

4,4'-Diisocyanato-3,3'-dimethylbiphenyl (bitolylene diisocyanate).
Diphenylmethane diisocyanate.
Toluene diisocyanate.

(2) List of substances:

Adipic acid.
1,4-Butanediol.
Ethylene glycol.
Polypropylene glycol.
Propylene glycol.
Trimethylol propane.

(b) Optional adjuvant substances employed in the production of the polyurethane resins or added thereto to impart desired technical or physical properties may include the following substances:

List of substances	Limitations
Copper phthalocyanine	As a pigment.
N,N-Dimethyldodecylamine	As a catalyst.
N-Dodecylmorpholine	Do.
4,4'-Methylenebis(2-chloroaniline)	As a curing agent.
Polyvinyl isobutyl ether	
Polyvinyl methyl ether	
Soya alkyd resin	Conforming in composition with § 121.2514 and containing litharge not to exceed that residual from its use as the reaction catalyst and creosol not to exceed that required as an antioxidant.
N,N,N',N'-Tetrakis(2-hydroxypropyl)-ethylenediamine	As a curing agent.
Triethanolamine	Do.
Ultramarine blue	As a pigment.

(c) An appropriate sample of the finished resin in the form in which it contacts food, when subjected to Method 6191 in Federal Test Method Standard No. 141, using No. 50 Emery abrasive in lieu of Ottawa sand, shall exhibit an abrasion coefficient of not less than 20 liters per mil of film thickness.

Any interested person may, within 30 days from the date of publication of this notice in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written comments, preferably in quintuplicate, on this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: January 24, 1966.

J. K. KIRK,
Assistant Commissioner
for Operations.

[F.R. Doc. 66-1006; Filed, Jan. 27, 1966;
8:48 a.m.]

[21 CFR Part 166]

DEPRESSANT AND STIMULANT DRUGS

Proposed Required Label Symbol

Pursuant to the provisions of the Drug Abuse Control Amendments of 1965, the Commissioner of Food and Drugs by a notice published in the FEDERAL REGISTER of December 18, 1965 (30 F.R. 15674), invited interested persons to submit written comments on, among other things, whether a distinctive product-identification symbol should be required by regulation on the label of any controlled depressant or stimulant drug. A substantial majority of the responses requested that such a symbol be required, since it would provide a ready means to identify drugs subject to control and would assist all concerned in complying with the Amendments.

In consideration of the comments received and other relevant material, the Commissioner proposes that a regulation be issued as set forth below on the sub-

ject required label symbol. Accordingly, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 511, 701(a), 52 Stat. 1055, 79 Stat. 228 et seq.; 21 U.S.C. 360a, 371(a)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90), it is proposed that Part 166 be amended by adding thereto a new section, as follows:

§ 166.18 Label symbol.

All drugs subject to the provisions of the Drug Abuse Control Amendments of 1965 (Public Law 89-74, 79 Stat. 226 et seq.) shall bear the following symbol:



This symbol shall be prominently placed on the principal panel of the label of the immediate container and any retail carton for such container of each such drug. The symbol shall be of contrasting color, large enough for easy identification, and at least as large as the largest letter in the title of the drug. Compliance with the requirements of this section shall be as follows:

(a) Drugs subject to control on February 1, 1966, and packaged after August 1, 1966, must bear this symbol.

(b) Drugs brought under control after February 1, 1966, must bear the symbol no later than 180 days after the effective date of such control.

Any interested person may, within 30 days from the date of publication of this notice in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written comments, preferably in quintuplicate, on this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: January 25, 1966.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 66-996; Filed, Jan. 27, 1966;
8:45 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 39]

[Docket No. 7129]

AIRWORTHINESS DIRECTIVES

Morane-Saulnier M.S. 760, M.S. 760A and M.S. 760B Airplanes

The Federal Aviation Agency is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Morane-Saulnier Model M.S. 760A, and M.S. 760B airplanes. The Agency has been advised by the French Government that the aluminum alloy control rod in the rudder system of the subject air-

planes does not meet the structural requirements of the French Civil Air Regulations, which are identical to the FAR's. Therefore the proposed AD would require replacement of the aluminum alloy rod with a steel rod in the subject airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before March 1, 1966, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

MORANE-SAULNIER. Applies to Models M. S. 760, M. S. 760 A, and M. S. 760 B airplanes.

Compliance required within the next 300 hours' time in service after the effective date of this AD unless already accomplished.

Replace aluminum alloy rudder control system rod, P/N 0176-27.1.191, located between Stations 5 and 10, with steel rod, P/N 0176-27.1.218.

(Morane-Saulnier Service Bulletin No. 45 pertains to this subject.)

Issued in Washington, D.C., on January 21, 1966.

C. W. WALKER,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-979; Filed, Jan. 27, 1966;
8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-WE-2]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations which would alter the controlled airspace in the Salt Lake City, Utah, terminal area.

The Salt Lake City and Provo, Utah, terminal areas as presently described, do not provide satisfactory airspace for expeditious radar vectoring of aircraft according to recently instituted flow control procedures, and therefore, the following airspace actions are being considered:

1. Amend the Salt Lake City, Utah, transition area by deleting " * * * and that airspace SE of Salt Lake City extending upward from 13,000 feet MSL bounded on the NE by V-484, on the S

by V-200 and on the NW by V-235; excluding the portion within Restricted Area R-6403 * * * " and substitute therefor " * * * and that airspace SE of Salt Lake City extending upward from 12,400 feet MSL bounded on the NE by V-484, on the S by V-200 and on the NW by V-235; excluding the portion within Restricted Area R-6403."

2. Redesignate the Provo, Utah, transition area as that airspace extending upward from 1,200 feet above the surface bounded on the N by latitude 40°30'00" N., on the SE by V-235 and V-21 on the W by V-257 to point of beginning excluding the portion within R-6401; and that airspace SW of Provo extending upward from 9,500 feet MSL bounded on the E by longitude 111°41'00" W., on the S by latitude 40°00'00" N., and on the NW by V-21 and on the N by V-200.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public Docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 5651 West Manchester Avenue, Los Angeles, Calif., 90045.

This amendment is proposed under the authority of sec. 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348).

Issued in Los Angeles, Calif., on January 20, 1966.

JOSEPH H. TIPPETS,
Director, Western Region.

[F.R. Doc. 66-980; Filed, Jan. 27, 1966;
8:45 a.m.]

[14 CFR Part 75]

[Airspace Docket No. 65-SO-55]

JET ROUTE SEGMENT

Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 75 of the Federal Aviation Regulations that would designate a jet route segment between Orlando, Fla., and Jacksonville, Fla. In addition, jet route numbering would be

changed to simplify flight planning and clearances by providing single route identification over longer distances.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Post Office Box 20636, Atlanta, Ga., 30320. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the Office of the Regional Air Traffic Division Chief.

Jet Route No. 53 would be redesignated from Miami, Fla., via Orlando, Fla., and the proposed new segment to Jacksonville, Fla., thence as presently designated. Jet Route No. 77 would be redesignated from Miami, via Palm Beach, Vero Beach, Daytona Beach, and Jacksonville, Fla., thence as presently designated.

This amendment is proposed under the authority of section 307(a) of the Fed-

eral Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on January 21, 1966.

JAMES L. LAMPL,
*Acting Chief, Airspace Regulations
and Procedures Division.*

[F.R. Doc. 66-981; Filed, Jan. 27, 1966;
8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 65-EA-90]

VOR FEDERAL AIRWAYS

Proposed Alterations

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations that would realign V-33 from Cofield, N.C., via the intersection of Cofield 007° T (013° M) and Harcum, Va., 187° T (194° M) radials, to Harcum. In addition, V-260 would be realigned from Hopewell, Va., via the intersection of Hopewell 128° T (134° M) and Norfolk, Va., 296° T (303° M) radials to Norfolk.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F.

Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the Office of the Regional Air Traffic Division Chief.

This action would realign these airways via the Surry Intersection which is the inbound route to the Norfolk terminal area from the north and northwest and thereby simplify flight planning and reduce air traffic control clearance phraseology. It would also reduce multiple airway crossing points and thus improve air traffic handling.

These amendments are proposed under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on January 24, 1966.

JAMES L. LAMPL,
*Acting Chief, Airspace Regulations
and Procedures Division.*

[F.R. Doc. 66-1014; Filed, Jan. 27, 1966;
8:48 a.m.]

Notices

INTERSTATE COMMERCE COMMISSION

[Notice 123]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JANUARY 25, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67, (49 CFR Part 240) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 52460 (Sub-No. 78 TA), filed January 20, 1966. Applicant: HUGH BREEDING, INC., 1420 West 35th, Post Office Box 9515, Tulsa, Okla. Applicant's representative: Lyle Breeding (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrazine mix*, in bulk, in specially designed tank trailers, between Rocky Mountain Arsenal, near Denver, Colo., on the one hand, and, on the other, Lewis Research Center, near Cleveland, Ohio, and White Sands Missile Range, N. Mex., for 180 days. Supporting shipper: Department of the Army Headquarters, MTMTS, Washington, D.C. (James T. Herbst, Lieutenant Colonel, USAF). Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla.

No. MC 57315 (Sub-No. 9 TA), filed January 20, 1966. Applicant: TRI-STATE TRANSPORT, INC., 40 B Street, Boston, Mass., 02127. Applicant's representative: Frank J. Weiner, 182 Forbes Building, Forbes Road, Braintree, Mass.,

02184. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Watertown and Southboro, Mass., to points in Connecticut, for 180 days. Supporting shipper: Hendrie's Frozen Foods, Inc., 75 Stanley Avenue, Watertown, Mass., 02172. Send protests to: Richard D. Mansfield, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 30 Federal Street, Boston, Mass., 02110.

No. MC 66562 (Sub-No. 2139 TA), filed January 21, 1966. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y., 10017. Applicant's representative: Wm. Marx (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, moving in express service, including class A and B explosives, (1) between Marietta, Ga., and Evansville, Ind., serving the intermediate and/or off-route points of Cartersville, Calhoun, and Dalton, Ga.; Chattanooga, Manchester, Murfreesboro, Smyrna, Nashville, and Springfield, Tenn.; and Hopkinsville, Madisonville, and Henderson, Ky.; from Marietta over U.S. Highway 41 to Evansville, and return over the same route; and (2) between Winchester, Tenn., and Tullahoma, Tenn., serving the off-route point of Dechard, Tenn.; from Winchester over U.S. Highway 41A to Tullahoma, and return over the same route. Restrictions: (1) The service to be performed shall be limited to that which is auxiliary to or supplemental of express service of the Railway Express Agency; and, (2) shipments transported shall be limited to those moving on through bills of lading or express receipts. NOTE: To a limited extent, the above route descriptions correspond to certain of applicant's existing authorities, but such duplication is relatively slight and seems preferable to the far greater complexity in the present route description if such duplication had to be eliminated. No duplication of authority is sought or intended by this application. Applicant intends to tack the authority sought herein to other authority held by it as follows: At Marietta, MC 66562 Sub 939, Atlanta-Copperhill, Tenn.; at Chattanooga, MC 66562 Sub 938, Chattanooga-Oneida, Tenn., Sub 1462, Chattanooga-Sparta, Tenn., Sub 2103 TA, Chattanooga-Bristol, Tenn., Chattanooga-Memphis, Tenn., Chattanooga-Plainville, Ga., and Chattanooga-Birmingham, Ala.; at Montague, MC 66562 Sub 1694, Fayetteville, Tenn.-Jct. U.S. 64-72; at Winchester, MC 66562 Sub 1694, Fayetteville, Tenn.-Jct. U.S. 64-72; at Tullahoma, MC 66562 Sub 140, Nashville-McMinnville, Tenn.; at Manchester, MC 66562 Sub 140, Nashville-McMinnville, Tenn.; at Murfreesboro,

MC 66562 Sub 140, Nashville-McMinnville, Tenn.; at Nashville, MC 66562, Nashville-McMinnville, Tenn., Sub 1249, Nashville-Crossville, Tenn.; and at Evansville, MC 66562 Sub 1472, Louisville-Evansville, Sub 1786, Huntingburg, Ind.-Belleville, Ill., and Sub 1231, Evansville-Danville, Ill., for 150 days. Supporting shippers: There are 24 supporting statements with this application, which may be examined at the Interstate Commerce Commission, here in Washington, D.C. Send protests to: Stephen P. Tomany, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 106644 (Sub-No. 61 TA), filed January 20, 1966. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., Atlanta, Ga., 30321, Mail: Post Office Box 17050, Chattanooga Station, Atlanta, Ga. Applicant's representative: Monty Schumacher, Suite 693, 1375 Peachtree Street NE., Atlanta 9, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Boards, building, wall or insulating*, (2) *materials and supplies* used in the installation of (1), from the plant-site of the Armstrong Cork Co., in Macon, Ga., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Michigan, Massachusetts, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, for 180 days. Supporting shipper: Armstrong Cork Co., Lancaster, Pa., 17604. Send protests to: William L. Scroggs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 680 Peachtree Street NW., Room 300, Atlanta, Ga., 30308.

No. MC 110098 (Sub-No. 73 TA), filed January 20, 1966. Applicant: ZERO REFRIGERATED LINES, a corporation, Post Office Box 7249, Station A, 815 Merida Street, San Antonio, Tex., 78207. Applicant's representative: T. W. Cothren (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cream or liquid cream substitutes*, sterilized, plain, sweetened or flavored, in hermetically sealed containers in boxes, from Gustine, Calif., to points in Arizona, New Mexico, Oklahoma, Texas, and Louisiana, for 180 days. Supporting shipper: Avonset Co., 5131 Shattuck Avenue, Oakland, Calif., 94609. Send protests to: James H. Berry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 206 Manion Building, San Antonio, Tex., 78205.

No. MC 126565 (Sub-No. 4 TA), filed January 20, 1966. Applicant: RICHARD F. McCURDY, Jr., doing business as J. M. TRUCKING CO., 7823 Fourth Place, Downey, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Expanded clay and sand*, in bulk, from points in that part of California lying in and south of San Luis Obispo, Kern, and Inyo Counties to points in Nevada, and return, for 150 days. Supporting shipper: Ridgeline Products, 650 South Grand Avenue, Suite 604, Los Angeles, Calif., 90017. Send protests to: Charles M. Sands, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, Calif., 90012.

No. MC 126679 (Sub-No. 4 TA), filed January 21, 1966. Applicant: DENNIS TRUCK LINES, INC., Post Office Box 175, Highway 23, Helena, Ga., 31037. Applicant's representative: Ariel V. Conlin, Suite 626, Fulton National Bank Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from Thomson, Ga., to New Orleans, La., for 180 days. Supporting shipper: J. S. Hinton Lumber, Thomson, Ga. Send protests to: William L. Scroggs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 680 West Peachtree Street NW., Room 300, Atlanta, Ga., 30308.

No. MC 127868 TA, filed January 21, 1966. Applicant: PETER STEENHUSEN, JR., doing business as STEENHUSEN HARDWARE, Irwin, Iowa. Applicant's representative: Jake More, 1006 Sixth Street, Harlan, Iowa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients* (except the transportation of feed and feed ingredients, in bulk in tank vehicles), from Weeping Water, Nebr., to Irwin, Iowa, and points in Audubon, Cass, Shelby, Pottawattamie, Guthrie, Crawford, Carroll, Adair, Dallas, Boone, Green, Plymouth, Cherokee, Buena Vista, Pocahontas, Woodbury, Ida, Sac, and Calhoun Counties, Iowa, for 180 days. Supporting shipper: Rucklos Calcium Carbonate Co., Weeping Water, Nebr. Send protests to: Keith P. Kohrs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 705 Federal Office Building, Omaha, Nebr., 68102.

MOTOR CARRIER OF PASSENGERS

No. MC 2072 (Sub-No. 4 TA), filed January 20, 1966. Applicant: LAKE SHORE SYSTEM, INC., 714 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers, baggage of passengers, express, mail, and newspapers*, and charter rights in the territory served, (1) from Columbus, Ohio, over U.S. Highway 33 through Dublin, Marysville, Bellefontaine, Russells Point, and Lakeview, to New Hampshire; thence via Ohio Highway 196 to junction 117 and

Ohio Highway 196; thence over State Route 117 to Lima, Ohio, and return over the same route, serving all intermediate points; (2) from Marysville, Ohio, over Ohio Highway 31 through Bahalia, Mount Victory, to Kenton, Ohio, and return over the same route, serving all intermediate points, from the junction of U.S. Highway 33 and Ohio Highway 161 over Ohio Highway 161 to Plain City; thence over U.S. Highway 42 to New California on U.S. Highway 33, and return over the same route; (3) from the junction of U.S. Highway 33 and County Road 152 over County Road 152 to junction of Ohio Highway 292 and County Road 152; thence over Ohio Highway 292 to East Liberty; thence over Ohio Highway 292 to junction U.S. Route 33, and return over the same route; (4) from junction of U.S. Highway 33 and County Road 153 over County Road 153 to Zanesfield; from Zanesfield over County Road 5 to junction of County Road 5 and County Road 25; thence County Road 25 to junction Ohio Highway 540; thence over Ohio Highway 540 to junction U.S. Highway 33, and return over the same route; and (5) from junction U.S. Highway 33 and Ohio Highway 117 over Ohio Highway 117 to Huntsville, Ohio; thence over Ohio Highway 366 through Russells Point to junction Ohio Highway 366 and U.S. Highway 33, and return over the same route, for 180 days. Supporting shippers: There are 20 supporting statements attached to the application, which may be examined here at the Interstate Commerce Commission, in Washington, D.C. Send protests to: A. J. Stevens, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 236 New Post Office Building, Columbus, Ohio, 43215.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-998; Filed, Jan. 27, 1966;
8:47 a.m.]

[Notice 1291]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 25, 1966.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68386. By order of January 20, 1966, the Transfer Board

approved the transfer to National Trucking, Inc., Houston, Tex., 77002; of certificate in No. MC-109373, issued July 16, 1963, to Bonanza Trucking, Inc., Houston, Tex., 77029; authorizing the transportation of: Oilfield equipment, from Houston, Tex., to oilfield locations in Texas; and, between Houston, Tex., and oilfield locations in Louisiana. Jo E. Shaw, 641 Bettles Building, Houston, Tex., 77002, attorney for applicants.

No. MC-FC-68396. By order of January 20, 1966, the Transfer Board approved the transfer to United Drayage Co., a corporation, Los Angeles, Calif., 90021, of Certificate in No. MC-96633, issued August 29, 1961, to Paul S. Beidleman, doing business as United Drayage Co., Los Angeles, Calif., 90021; authorizing the transportation of: General commodities, with the usual exceptions including household goods and commodities in bulk, from the port of Wilmington, Calif., to points in the Los Angeles, Calif., commercial zone; and, general commodities with exceptions including commodities in bulk, from points in Los Angeles, County, Calif., to points in the Los Angeles Harbor, Calif., commercial zone. Ivan McWhinney, 639 South Spring Street, Los Angeles, Calif., 90014, attorney for applicants.

No. MC-FC-68417. By order of January 24, 1966, the Transfer Board approved the transfer to Industrial Contract Carriers, Inc., Portland, Oreg., of the operating rights issued October 15, 1965, in Permit No. MC-125293 (Sub-No. 2), in the name of Robert E. Ahern, doing business as Industrial Contract Carriers, Seattle, Wash., authorizing the transportation, over irregular routes, of aluminum sulphate, sodium sulphate, soda ash, methylene chloride, copper sulphate, carbon disulphide and carbon tetrachloride mixtures, boric acid, pentachlorophenol, metasilicates, trichloroethylene, nitric, phosphoric, acetic, and hydrofluoric acids, plating and buffing compounds, detergents, and filtering agents, all moving in drums, cartons, or bags, from points in California, to points in Oregon, Washington, and Idaho. George R. Labissoniere, 533 Central Building, Seattle, Wash., 98104, attorney for applicants.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-999; Filed, Jan. 27, 1966;
8:47 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 25, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40254—*Joint motor-rail rates—Eastern Central*. Filed by the Eastern Central Motor Carriers Association, Inc., agent (No. 399), for interested

carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in middle Atlantic and New England territories, on the one hand, and points in Central States, middlewest and southwestern territories, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 3 to Eastern Central Motor Carriers Association, Inc., agent, tariff MF-ICC A-268.

FSA No. 40255—*Joint motor-rail rates—Eastern Central*. Filed by the Eastern Central Motor Carriers Association, Inc., agent (No. 400), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in middle Atlantic and New England territories, on the one hand, and points in Central States, middlewest and southwestern territories, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 3 to Eastern Central Motor Carriers Association, Inc., agent, tariff MF-ICC A-268.

FSA No. 40256—*Joint motor-rail rates—Eastern Central*. Filed by the Eastern Central Motor Carriers Association, Inc., agent (No. 401), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in middle Atlantic and New England territories, on the one hand, and points in Central States, middlewest and southwestern territories, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 3 to Eastern Central Motor Carriers Association, Inc., agent, tariff MF-ICC A-268.

FSA No. 40257—*Joint motor-rail rates—Eastern Central*. Filed by the Eastern Central Motor Carriers Association, Inc., agent (No. 402), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in middle Atlantic and New England territories, on the one hand, and points in middlewest and southwestern territories, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 3 to Eastern Central Motor Carriers Association, Inc., agent, tariff MF-ICC A-268.

FSA No. 40258—*Sugar to points in official territory*. Filed by O. W. South, Jr., agent (No. A4831), for interested rail carriers. Rates on sugar, in carloads, from points in Louisiana, also Port Wentworth and Savannah, Ga., to points in Indiana, Maryland, Michigan, New York, Ohio, Pennsylvania, and West Virginia.

Grounds for relief—Market competition and rate relationship.

Tariff—Supplement 50 to Southern Freight Association, agent, tariff ICC S-372.

FSA No. 40259—*Sulphuric acid to Tyner, Tenn.* Filed by O. W. South, Jr.,

agent (No. A4832), for interested rail carriers. Rates on sulphuric acid, in tank carloads, subject to minimum of five cars per shipment, from LeMoyne, Ala., to Tyner, Tenn.

Grounds for relief—Market competition.

Tariff—Supplement 136 to Southern Freight Association, agent, tariff ICC S-162.

FSA No. 40260—*Joint motor-rail rates—Central and Southern*. Filed by Central and Southern Motor Freight Tariff Association, Inc., agent (No. 99), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in southern territory, on the one hand, and points in Central States territory, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 25 to Central and Southern Motor Freight Tariff Association, Inc., agent, tariff MF-ICC 309.

FSA No. 40261—*Substituted service—SP for Consolidated Copperstate Lines*. Filed by J. D. Hughett, agent (No. 78), for interested carriers. Rates on property loaded in trailers and transported on railroad flatcars, between Houston and Dallas, Tex., on traffic originating at or destined to such points or points beyond.

Grounds for relief—Motortruck competition.

Tariff—Supplement 6 to J. D. Hughett, agent, tariff MF-ICC 403.

FSA No. 40262—*Class and commodity rates from or to Waters, S.C.* Filed by O. W. South, Jr., agent (No. A4833), for interested rail carriers. Rates on property moving on class and commodity rates, in carloads, and less-than-carloads, from or to Waters, S.C., on the one hand, to or from points in the United States and Canada, on the other.

Grounds for relief—New station and grouping.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-1000; Filed, Jan. 27, 1966;
8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-4343]

ARKANSAS POWER & LIGHT CO. AND MIDDLE SOUTH UTILITIES, INC.

Notice of Proposed Issue and Sale of Principal Amount of First Mortgage Bonds at Competitive Bidding and Proposed Issue of Common Stock to Holding Company

JANUARY 24, 1966.

Notice is hereby given that Middle South Utilities, Inc. ("Middle South"), a registered holding company, and Arkansas Power & Light Co. ("Arkansas"), 280 Park Avenue, New York, N.Y., 10017, a public-utility subsidiary company of

Middle South, have filed a joint application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 6(b), 9, and 12 of the Act and Rule 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the joint application-declaration, on file at the office of the Commission, for a statement of the transactions therein proposed which are summarized below.

Arkansas proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 promulgated under the Act, \$25,000,000 principal amount of its First Mortgage Bonds, -- percent Series due March 1, 1966. The interest rate on the new bonds (which will be a multiple of $\frac{1}{8}$ of 1 percent) and the price, exclusive of accrued interest, to be paid to Arkansas (which will be not less than 100 percent nor more than 102 $\frac{3}{4}$ percent of the principal amount thereof) will be determined by the competitive bidding. The bonds will be issued under Arkansas' Mortgage and Deed of Trust, dated as of October 1, 1944, to Morgan Guaranty Trust Co. of New York, as Trustee, as heretofore supplemented and as to be further supplemented by a Fourteenth Supplemental Indenture to be dated as of March 1, 1966. The net proceeds from the sale of the new bonds are to be used by Arkansas for its 1966 construction program (estimated at \$62,600,000) and for other corporate purposes, including the repayment of short-term bank loans.

As of November 30, 1965, the earned surplus of Arkansas amounted to \$19,951,928. Arkansas proposes to transfer \$3,000,000 of its earned surplus and credit such amount to its common stock capital account. Concurrently with such transfer, Arkansas proposes to issue to Middle South (the holder of all of the issued and outstanding shares of Arkansas' common stock, \$12.50 par value) and Middle South proposes to acquire, 240,000 additional shares of Arkansas' authorized but unissued common stock aggregating \$3,000,000 in par value. It is stated that the issuance of such common stock will permit Arkansas to convert into capital a portion of its earned surplus which has been permanently invested in betterments and improvements to its physical properties.

Fees and expenses incident to the proposed issuance and sale of the new bonds are estimated at \$75,000, including auditors' fees of \$3,000, counsel fees of \$19,500, and management consultants' fees of \$1,750. Fees of counsel for the underwriters in the amount of \$8,000, together with out-of-pocket expenses, are to be paid by the successful bidders. The filing states that in connection with the issuance of the common stock no special or separable expenses of any kind are anticipated by either Arkansas or Middle South.

The proposed transactions have been expressly authorized by the Arkansas Public Service Commission, the State commission of the State in which Arkansas is organized and doing business. The filing states that the Tennessee Public

Service Commission, the commission of a State in which Arkansas also does business, asserts jurisdiction over the proposed transactions and that the order of said commission is to be filed herein by amendment. It is further stated that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than February 17, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said joint application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the joint application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 66-1015; Filed, Jan. 27, 1966;
8:48 a.m.]

[File No. 70-4342]

DELAWARE POWER & LIGHT CO.

Notice of Proposed Stock Split and Related Transactions

JANUARY 24, 1966.

Notice is hereby given that Delaware Power & Light Company ("DP&L"), 600 Market Street, Wilmington, Del., 19899, a registered holding company and a public-utility company, has filed a declaration and an amendment thereto with this Commission, pursuant to sections 6, 7, and 12(e) of the Public Utility Holding Company Act of 1935 ("Act"), and Rule 62 thereunder, regarding the transactions hereinafter summarized. All interested persons are referred to said declaration, on file in the office of the Commission, for a description of the proposed transactions.

DP&L proposes to amend its certificate of incorporation so as to reclassify its presently authorized 6,000,000 shares of common stock, par value \$6.75 per share, into 12,000,000 shares, par value \$3.37½ per share; and, in connection therewith,

to issue to its common stockholders one additional share of \$3.37½ par value common stock for each share of \$6.75 par value common stock presently held. It will not be necessary for stockholders to surrender their certificates for the \$6.75 par value common stock; all such presently outstanding certificates will represent the same number of shares of \$3.37½ par value common stock. The proposed two-for-one stock split will require the issue by D.P. & L. of 4,185,360 shares of common stock, increasing the amount of its outstanding shares of common stock to 8,370,720 with a par value of \$3.37½ per share each.

The proposed charter amendment (which will also include a proposed change of D.P. & L.'s corporate name to Delmarva Power & Light Co.) will require the favorable vote of the holders of not less than a majority of D.P. & L.'s presently issued and outstanding shares of common stock, and D.P. & L. proposes to solicit proxies with respect thereto at its annual meeting of common stockholders scheduled to be held on April 19, 1966. The solicitation material and the form of proxy in connection therewith have been submitted to the Commission for appropriate authorization.

The services of counsel in connection with the proposed change in par value of the shares of D.P. & L.'s common stock are covered by a retainer agreement; all other fees and expenses in connection therewith are estimated not to exceed \$40,000. It is further stated that the expenses in connection with the solicitation of proxies will not exceed the ordinary expenditures in connection with the annual meeting of stockholders. D.P. & L. has filed an application with the Public Service Commission of Delaware for approval of the proposed reclassification of its common stock, and a copy of the order of said Commission will be filed by amendment. The filing states that no other State commission, and no Federal commission other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that an interested person may, not later than February 11, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said amended declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the declaration, as filed or as it may be further amended, may be permitted to become effective as provided in Rule 23 of the general rules

and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 66-1016; Filed, Jan. 27, 1966;
8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration DOW CHEMICAL CO.

Notice of Withdrawal of Petition for Food Additive Methionine N.F.

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), The Dow Chemical Co., Midland, Mich., 48641, has withdrawn its petition (FAP 4A1216), published in the FEDERAL REGISTER of October 15, 1963 (28 F.R. 11021), proposing the issuance of a regulation to provide for the safe use of methionine N.F. (DL-methionine), at levels not exceeding 200 milligrams per day in foods for special dietary use.

The withdrawal of this petition is without prejudice to a future filing.

Dated: January 20, 1966.

J. K. KIRK,
Assistant Commissioner
for Operations.

[F.R. Doc. 66-1002; Filed, Jan. 27, 1966;
8:47 a.m.]

C. P. HALL COMPANY OF ILLINOIS

Notice of Filing of Petition for Food Additive Polyethylene Glycol 400 Mono- and Dioleate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 6C1882) has been filed by The C. P. Hall Co. of Illinois, 5245 West 73d Street, Chicago, Ill., 60638, proposing the issuance of a regulation to provide for the safe use of polyethylene glycol 400 mono- and dioleate as a processing aid in the manufacture of animal feeds.

Dated: January 24, 1966.

J. K. KIRK,
Assistant Commissioner
for Operations.

[F.R. Doc. 66-1003; Filed, Jan. 27, 1966;
8:47 a.m.]

WEST CHEMICAL PRODUCTS, INC.**Notice of Filing of Petition for Food Additives Piperonyl Butoxide and Pyrethrins**

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 5H1740) has been filed by West Chemical Products, Inc., 42-16 West Street, Long Island City, N.Y., 11101, proposing that §§ 121.1074(b) and 121.1075 (b) of the food additive regulations be amended to read as follows:

§ 121.1074 Piperonyl butoxide.

(b) It is used in combination with pyrethrins, whereby the amount of piperonyl butoxide is at least equal to but not more than 10 times the amount of pyrethrins in the formulation.

§ 121.1075 Pyrethrins.

(b) It is used in combination with piperonyl butoxide, whereby the amount of pyrethrins is from 10 percent to 100 percent of the amount of piperonyl butoxide in the formulation.

Dated: January 24, 1966.

J. K. KIRK,
Assistant Commissioner
for Operations.

[F.R. Doc. 66-1004; Filed, Jan. 27, 1966;
8:47 a.m.]

DEPARTMENT OF COMMERCE**Bureau of Public Roads****HIGHWAY BEAUTIFICATION****Public Hearings**

Notice of Public Hearings to be held in each State by the Secretary of Commerce before the promulgation of standards, criteria, rules and regulations, necessary to carry out sections 131 and 136 of title 23 of the United States Code.

Pursuant to section 303(a) of the Highway Beautification Act of 1965 approved October 22, 1965 (79 Stat. 1033 (1965)), the Secretary of Commerce is required to hold public hearings in each of the several States, including Puerto Rico and the District of Columbia, for the express purpose of gathering all relevant information on which to base the promulgation of standards, criteria, rules and regulations, to be applied by the Secretary of Commerce in carrying out the provisions of sections 131 and 136 of title 23, United States Code.

All persons having a reasonable interest in the subject of the above hearings are invited to attend and participate in the hearings and to submit such relevant information.

Public hearings will be conducted in each State for the above specified purposes. All scheduled hearings will begin at 9:30 a.m. standard time on the dates specified and at the location or address designated below for each State.

State	City	Address	Date
Alabama	Montgomery	Alabama Highway Department, Room 204, 11 Union St.	Apr. 12, 1966
Alaska	Juneau	Department of Fish and Game Auditorium, Support Building.	Mar. 10, 1966
Arizona	Phoenix	City of Phoenix, Central Library Auditorium, Central Ave. and McDowell Rd.	Mar. 8, 1966
Arkansas	Little Rock	Fish and Game Building and Auditorium, State House Grounds.	Mar. 15, 1966
California	Sacramento	State Resources Building, 9th and O Sts.	Apr. 12, 1966
Colorado	Denver	Colorado Department of Highways Auditorium	Mar. 29, 1966
Connecticut	Hartford	Hall of the House (House Chamber), State Capitol.	Mar. 15, 1966
Delaware	Christiana	Highway Department, Division Office, Delaware Route 7, Post Office Box 8, Bear, Del.	Mar. 22, 1966
District of Columbia	Washington, D.C.	Department of Commerce Building Auditorium, 14th and E Sts. NW.	Mar. 8, 1966
Florida	Tallahassee	House of Representatives, Chamber, Florida State Capitol.	Apr. 26, 1966
Georgia	Atlanta	State Highway Department Building Auditorium, Capitol Square.	May 3, 1966
Hawaii	Honolulu	Ruger Theatre, Aloha and Makapuu Aves., Fort Ruger, Honolulu.	Apr. 5, 1966
Idaho	Boise	State Highway Building, Hearing Room.	Apr. 26, 1966
Illinois	Springfield	Illinois Building, State Fair Grounds.	Mar. 15, 1966
Indiana	Indianapolis	House Chambers, Indiana State Capitol Building.	Mar. 1, 1966
Iowa	Ames	Iowa State Highway Commission, Letting Room, North Part of Building No. 2.	Apr. 12, 1966
Kansas	Topeka	Kansas Historical Society Auditorium, 10th and Jackson Sts.	Mar. 8, 1966
Kentucky	Frankfort	State Office Building Auditorium, High St. between Clinton and Mero Sts.	Mar. 29, 1966
Louisiana	Baton Rouge	State Highway Department Building Auditorium.	Mar. 8, 1966
Maine	Augusta	State Office Building, Hearing Room No. 105, Capitol St.	Apr. 26, 1966
Maryland	Baltimore	U.S. Army Reserve Center, Turner Armory, Hillen Rd. and Argonne Dr.	Mar. 1, 1966
Massachusetts	Boston	Registry Building Auditorium, 4th floor, 100 Nashua St.	Mar. 22, 1966
Michigan	Lansing	Michigan National Guard Headquarters, 2500 South Washington.	Apr. 26, 1966
Minnesota	St. Paul	State Office Building, Capitol Complex, Park Ave. between Aurora and Fuller.	Mar. 15, 1966
Mississippi	Jackson	Woolfolk State Office Building Auditorium, Northwest St.	Apr. 5, 1966
Missouri	Jefferson City	Highway Department Hearing Room, East Capitol and Jefferson Sts.	Mar. 22, 1966
Montana	Helena	State Highway Building Hearing Room.	Apr. 12, 1966
Nebraska	Lincoln	Senate Chamber of the State House.	Apr. 5, 1966
Nevada	Carson City	Nevada State Highway Department Auditorium.	Mar. 22, 1966
New Hampshire	Concord	Representatives Hall, State House.	May 3, 1966
New Jersey	Trenton	War Memorial Building Ballroom.	Mar. 29, 1966
New Mexico	Santa Fe	New Mexico State Highway Department, 1120 Cerrillos Rd.	Mar. 15, 1966
New York	Albany	Chancellors Hall State Education Building, Washington Ave. and Swan St.	Apr. 5, 1966
North Carolina	Raleigh	State Highway Building Auditorium, Wilmington St. and New Bern Ave.	Mar. 15, 1966
North Dakota	Bismarck	North Dakota House Chamber, State Capitol Building.	Mar. 1, 1966
Ohio	Columbus	Arts and Crafts Building Auditorium, 600 East 17th Ave., State Fair Grounds.	Apr. 5, 1966
Oklahoma	Oklahoma City	Civil Defense Auditorium, New State Office Building, State Capitol Grounds.	Mar. 1, 1966
Oregon	Salem	Highway Building, Room 418.	Mar. 22, 1966
Pennsylvania	Harrisburg	State Capitol Grounds, William Penn Memorial Museum Auditorium, North 3d and North Capitol Sts.	Apr. 12, 1966
Puerto Rico	Santurce	Puerto Rico Communications Authority Building Auditorium, 1314 Ponce de Leone Ave.	Do.
Rhode Island	Providence	Providence Journal Auditorium, Fountain St.	Mar. 1, 1966
South Carolina	Columbia	Drayton Hall Auditorium, University of South Carolina, South Main St. between College and Green Sts.	Do.
South Dakota	Pierre	House Chambers, State Capitol Building.	Mar. 29, 1966
Tennessee	Nashville	House of Representatives Chamber, Tennessee State Capitol.	Mar. 22, 1966
Texas	Austin	Texas Highway Department Building Hearing Room, 11th and Brazos Sts.	Mar. 29, 1966
Utah	Salt Lake City	State Office Building Auditorium.	Mar. 1, 1966
Vermont	Montpelier	Montpelier City Hall, Main St. between Barre and State Sts.	Mar. 8, 1966
Virginia	Richmond	Highway Department Auditorium, 1221 East Broad St.	Mar. 29, 1966
Washington	Olympia	GSA Building Auditorium, State Capitol.	Apr. 5, 1966
West Virginia	Charleston	National Guard Armory, 1703 Coonskin Dr.	Apr. 26, 1966
Wisconsin	Madison	Wisconsin National Guard Armory, 3002 Wright St.	May 3, 1966
Wyoming	Cheyenne	State Highway Department Auditorium.	Do.

Preregistration facilities will be provided at each hearing site location or address listed hereinabove for each State between the hours of 9 a.m. and 5 p.m. standard time on the day immediately preceding each scheduled hearing date.

All persons who wish to participate in the hearings and to offer relevant information, either written or oral, must register at the designated time and place prior to the hearings at which they desire to present such information.

Interested persons will be given a fair and reasonable opportunity to present all relevant written and oral information. To accomplish this purpose in an orderly way and expedite the hearings, participants will each be allowed a limited time to present oral information, not in any case to exceed twenty (20) minutes.

In the event the time allowed is not adequate for a full and complete presentation of all relevant information, a supplemental written statement may be sub-

mitted and may be accepted for consideration as a part of the official record.

The following draft standards, criteria, rules and regulations, intended solely as guidelines for consideration and discussion purposes at the public hearings, do not represent any conclusions, or even tentative conclusions, on the part of the Secretary of Commerce.

The advance publication containing the categories or groups of draft standards, criteria, rules and regulations to be considered at the public hearings is only intended for the express purpose of permitting all interested persons a sufficient opportunity to consider, prepare and develop information and comments relevant to each group or category of standards and criteria to be considered at the public hearings.

The six (6) categories of draft standards, criteria, rules and regulations, for consideration and the sequence or numerical order of their presentation and discussion at the public hearings will be as follows:

I. DRAFT DEFINITION OF AN UNZONED INDUSTRIAL AREA FOR JUNKYARDS

An unzoned industrial area means an area not zoned by State or local law, regulation, or ordinance. A junkyard shall be deemed to be in an unzoned industrial area when:

1. The junkyard is located within a distance of 1,000 feet of at least one industrial activity which is in continual operation for at least 6 months of the year, and

2. There is no building or other structure within 1,000 feet of the junkyard which is used or designed for use as a residence.

II. DRAFT DEFINITION OF AN UNZONED COMMERCIAL OR INDUSTRIAL AREA FOR OUTDOOR ADVERTISING

An unzoned commercial or industrial area means an area not zoned by State or local law, regulation or ordinance. A sign, display or device shall be deemed to be in an unzoned commercial or industrial area if within a radius of 300 feet thereof, there are at least two industrial or commercial activities which are in continual operation for at least 6 months of the year.

Outdoor advertising structures shall not be considered a commercial or industrial activity under this definition.

III. DRAFT CRITERIA FOR SIZE, LIGHTING, AND SPACING OF SIGNS PERMITTED IN COMMERCIAL OR INDUSTRIAL ZONES AND AREAS

The standards drafted in this part do not apply to "on premise" advertising or to "official and directional" signs as permitted under section 131(c) of Title 23, United States Code.

Purposes. The standards herein are intended as guidelines solely for those signs, displays and devices whose size, lighting and spacing, consistent with customary use, is to be determined by agreement between the several States and the Secretary, as authorized under section 131(d) of Title 23, United States Code, and which may be erected and

maintained within 660 feet of the nearest edge of the right-of-way within areas adjacent to the Interstate and Federal-aid primary systems which are zoned industrial or commercial under authority of State law, or in unzoned commercial or industrial areas as may be determined by agreement between the several States and the Secretary.

Definitions. Sign means an outdoor sign, light, display, device, figure, painting, drawing, message, placard, poster, billboard, or other thing which is designed, intended, or used to advertise or inform, any part of the advertising or informative contents of which is visible from any place on the main traveled way of the Interstate or Federal-aid primary highway.

Traveled way means the paved portion of the roadway exclusive of shoulders.

Erect means to construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish.

General. 1. The following signs shall not be permitted:

A. Signs which are obsolete.

B. Signs which are illegal under State or Federal laws or regulations in effect at the location of such signs.

C. Signs that are not clean and in good repair.

D. Signs not securely affixed to a substantial structure.

E. Signs which attempt or appear to attempt to regulate, warn, or direct the movement of traffic or which interfere with, imitate or resemble any official traffic sign, signal, or device.

F. Signs which are erected or maintained upon trees or painted or drawn upon rocks or other natural features.

G. Signs which move or have any animated or moving parts.

H. Signs which are not consistent with the Standards in this part.

Size of signs. 1. For signs which are located closer than 150 feet from the nearest edge of the traveled way:

- a. Maximum area—300 square feet.
- b. Maximum height—15 feet.
- c. Maximum length—30 feet.

2. For signs which are located 150 feet or more from the nearest edge of the traveled way:

- a. Maximum area—400 square feet.
- b. Maximum height—20 feet.
- c. Maximum length—40 feet.

3. All dimensions include border and trim, but exclude supports.

4. Double-faced or V-type signs shall be considered one sign. Maximum size of signs shall apply to each face.

5. The highest point of any sign shall not extend more than 30 feet measured from either the ground level at its supports or the nearest edge of the right-of-way of the Interstate or primary highway, whichever is lower in elevation.

Lighting. Signs may be lighted, subject to the following restrictions:

1. Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights are prohibited.

2. Signs which are not effectively shielded as to prevent beams or rays of

light from being directed at any portion of the main traveled way of the Interstate or primary highway or which are of such intensity of brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with any driver's operation of a motor vehicle are prohibited.

3. No sign shall be illuminated by red, green, or amber lights which interfere with the effectiveness or obscure an official traffic sign, device, or signal.

Spacing of signs. 1. (a) No two signs shall be spaced less than 500 feet apart, and

(b) Not more than six signs may be permitted within any mile distance measured from any point and facing any one side of the highway.

2. No sign may be located within 2,000 feet of an interchange or intersection at grade along the Interstate system or other freeways. (Measured from the nearest point of the intersection of the main-traveled way and the entrance or exit traveled way.)

3. No sign may be located within 500 feet of any intersection at grade, except that this distance shall be reduced to 250 feet between intersections which are less than 1,000 feet apart. (Measured from the nearest point of intersection of the two traveled ways.)

4. No sign may be located in such a manner as to prevent the driver of a vehicle from having a clear, unobstructed and undistracted view of official signs and approaching, merging, or intersecting traffic and driveways.

5. No sign may be located within a radius of 250 feet of a major official guide sign.

6. All signs shall be set back at least 25 feet from the nearest edge of right-of-way.

IV. SUGGESTED DRAFT OF NATIONAL STANDARDS CONCERNING OUTDOOR ADVERTISING CONTROLS ON PUBLIC LANDS AND RESERVATIONS OF THE UNITED STATES PURSUANT TO SECTION 131(h)

Purpose. The standards promulgated herein are intended as guidelines for the control of outdoor advertising on public lands and reservations of the United States pursuant to section 131(h) of Title 23, United States Code.

Definitions. Sign means an outdoor sign, light, display, device, figure, painting, drawing, message, placard, poster, billboard, or other thing which is designed, intended, or used to advertise or inform, any part of the advertising or informative contents of which is visible from any place on the main traveled way of the Interstate or other Federal-aid primary highways.

Traveled way means the paved portion of the roadway exclusive of shoulders.

Erect means to construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish.

General. 1. The following signs shall not be permitted:

A. Signs which are obsolete.

B. Signs which are illegal under State or Federal laws or regulations in effect at the location of such signs.

C. Signs that are not clean and in good repair.

D. Signs not securely affixed to a substantial structure.

E. Signs which attempt or appear to attempt to regulate, warn, or direct the movement of traffic or which interfere with, imitate or resemble any official traffic sign, signal, or device.

F. Signs which are erected or maintained upon trees or painted or drawn upon rocks or other natural features.

G. Signs which move or have any animated or moving parts.

H. Signs which prevent the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic.

I. Signs which are not consistent with the Standards in this part.

Signs permitted on public lands and reservations of the United States. The following signs may be permitted to be erected and maintained off of, but within 660 feet of, the nearest edge of the right-of-way of Interstate and primary highways:

1. *Directional and Official Signs.* Directional and other official signs and notices which shall include, but not be limited to, signs and notices pertaining to natural wonders, scenic and historic attractions, as may be required or authorized by the appropriate Federal agency. Such signs and notices shall be located within 12 air miles of a turn off from an Interstate or primary highway to the activity or place being advertised, and shall be limited to two such signs advertising the same activity or place on any one Interstate or primary highway approach.

2. *On Premise—Sale, Lease Signs.* Signs, displays and devices advertising the sale or lease of property upon which they are located. Not more than one on-premise sign advertising the sale or lease of property may be permitted in such a manner as to be visible to traffic proceeding in any one direction on any one highway.

3. *On Premise—Activities Signs.* Signs, displays and devices advertising activities conducted upon the property on which they are located. Not more than one on-premise sign more than 50 feet from the advertised activity may be permitted in such a manner as to be visible to traffic proceeding in any one direction on any one highway.

Size of signs. No sign except on-premise signs not more than 50 feet from the advertised activity, may be permitted to exceed 20 feet in length, or height, or 150 square feet in area, including border and trim but excluding supports.

Lighting of signs. Signs may be lighted, subject to the following restrictions:

1. Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights are prohibited.

2. Signs which are not effectively shielded as to prevent beams or rays of light from being directed at any portion of the traveled way of an Interstate or primary highway or which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of

any motor vehicle, or which otherwise interfere with any driver's operation of a motor vehicle are prohibited.

3. No sign shall be illuminated by red, green, or amber lights which interfere with the effectiveness or obscure an official traffic sign, device, or signal.

Trade names. No sign may be permitted which displays a trade name more conspicuously than the name of the advertised activity or place.

Exclusions. The standards in this part shall not apply to markers, signs and plaques in appreciation of sites of historical significance.

Federal agency regulations. Nothing contained herein shall prevent any Federal agency from:

1. Establishing standards which are more restrictive than those included herein;

2. Establishing informational centers at safety rest areas pursuant to section 131(i) of Title 23, United States Code;

3. Erecting signs within the right-of-way giving information of specific interest to the traveling public as provided under section 131(f) of Title 23, United States Code.

V. DRAFT STANDARDS FOR DIRECTIONAL AND OTHER OFFICIAL SIGNS AND NOTICES OFF THE RIGHT-OF-WAY

The draft standards in this part do not apply to directional and other official signs and notices erected or maintained in zoned and unzoned commercial or industrial areas. All such signs erected or maintained in zoned or unzoned commercial or industrial areas, shall conform with criteria to be determined by agreement between the several States and the Secretary, as provided under section 131(d).

Purpose. The standards herein are intended as guidelines for the lighting, size, number and spacing and other requirements pertaining to the erection and maintenance of directional and other official signs and notices, which signs and notices shall include, but not be limited to, signs and notices pertaining to natural wonders, scenic and historic attractions, which may be erected and maintained within 660 feet of the nearest edge of the right-of-way within areas adjacent to the Interstate and primary systems. These standards are to be promulgated by the Secretary, as required under section 131(c) (1) of Title 23, U.S.C.

Definitions (for the purpose of the draft standards for this part). Sign means an outdoor sign, light, display, device, figure, painting, drawing, message, placard, poster, billboard, or other thing which is designed, intended, or used to advertise or inform, any part of the advertising or informative contents of which is visible from any place on the main traveled way of the Interstate or primary highway.

Directional and other official signs and notices mean signs located off the right-of-way but within 660 feet of the nearest right-of-way line, any part of the informative contents of which is visible from any place on the main traveled way. Such signs and notices shall include, but

not be limited to, those pertaining to natural wonders, scenic and historical attractions which are required or authorized by law.

Official Signs mean directional or other official signs and notices erected and maintained by public officers or agencies pursuant to and in accordance with direction or authorization contained in Federal or State law for the purposes of carrying out an official duty or responsibility.

State law means a State constitutional provision or statute, or an ordinance, rule, or regulation enacted or adopted by a State agency or political subdivision of a State pursuant to State constitution or statute.

Signs pertaining to natural wonders, scenic and historical attractions mean signs containing only information about public places operated by Federal, State or local governments, natural phenomena, historic sites, areas of natural scenic beauty or naturally suited for outdoor recreation, and places for camping deemed to be in the interest of the traveling public. It is not intended that these signs provide roadside advertising for tourist-oriented roadside private businesses. Each State shall determine those official signs and notices pertaining to natural wonders, scenic or historical attractions, which it deems of sufficient interest to the traveling public. A State may include some privately owned or operated natural wonders, scenic or historical attractions, only if they are regionally known and of outstanding wide interest to the traveling public, and signs giving information about public places operated by Federal, State or local governments.

Main-traveled way means the traveled way on which through traffic is carried. In the case of a divided highway, the traveled way of each of the separated roadways for traffic in opposite directions is a main-traveled way. It does not include such facilities as frontage roads, turning roadways, or parking areas.

Traveled way means the portion of a roadway for the movement of vehicles, exclusive of shoulders.

General. 1. The following signs shall not be permitted:

A. Signs which are obsolete.

B. Signs which are illegal under State or Federal laws or regulations in effect at the location of such signs.

C. Signs that are not clean and in good repair.

D. Signs not securely affixed to a substantial structure.

E. Signs which attempt or appear to attempt to regulate, warn, or direct the movement of traffic or which interfere with, imitate or resemble any official traffic sign, signal, or device.

F. Signs which are erected or maintained upon trees or painted or drawn upon rocks or other natural features.

G. Signs which move or have any animated or moving parts.

H. Signs which prevent the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic.

1. Signs which are not consistent with the Standards in this part.

Size of signs. 1. (a) Maximum area—150 square feet;

(b) Maximum height—15 feet; and

(c) Maximum length—20 feet.

2. All dimensions include border and trim, but exclude supports.

3. Double-faced or V-type signs shall be considered one sign. Maximum size of signs shall apply to each face.

4. The highest point of any sign shall not extend more than 30 feet measured from either the ground level at its supports or the nearest edge of the right-of-way of the Interstate or primary highway, whichever is lower in elevation.

Lighting of signs. Signs may be lighted, subject to the following restrictions:

1. Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights are prohibited.

2. Signs which are not effectively shielded so as to prevent beams or rays of light from being directed at any portion of the traveled way of an Interstate or primary highway or which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with any driver's operation of a motor vehicle are prohibited.

3. No sign shall be illuminated by red, green, or amber lights which interfere with the effectiveness or obscure an official traffic sign, device, or signal.

Spacing and number of signs. The following requirements apply only to those signs pertaining to natural wonders, scenic and historical attractions as defined in this part:

1. (a) No two signs shall be spaced less than 1 mile apart, and

(b) not more than two signs may be permitted within any 5-mile distance, measured from any point and facing any one side of the highway.

2. No sign may be located within 2,000 feet of an interchange or intersection at grade along the Interstate system or other freeways. (Measured from the nearest point of the intersection of the main traveled way and the entrance or exit traveled way.)

3. No sign may be located within a radius of 250 feet of an official major guide sign.

4. All signs shall be set back at least 25 feet from the nearest edge of the right-of-way line.

5. Signs for a specific attraction shall be located within a radius of 50 air miles from the advertised activity, and shall not exceed a total of 10 signs for each attraction.

6. Any new or reconditioned sign erected after January 1, 1968, shall be uniform in background color. Background color shall be limited to either blue or brown.

State regulations. Nothing contained herein shall prevent any State from establishing standards which are more restrictive than those included in this part.

VI. DRAFT OF STANDARDS AND CRITERIA FOR OFFICIAL HIGHWAY SIGNS WITHIN INTERSTATE RIGHTS-OF-WAY GIVING SPECIFIC INFORMATION FOR THE TRAVELING PUBLIC

Purpose. To establish standards for the erection within the right-of-way of signs at appropriate distances from the interchanges on the Interstate highway system which will give the traveling public specific information as to gas, food or lodging available on the crossroad at or near the interchanges.

Authority. Section 131(f), title 23, United States Code, as amended by the Highway Beautification Act of 1965. "The Secretary shall, in consultation with the States, provide within the rights-of-way for areas at appropriate distances from interchanges on the Interstate System, on which signs, displays, and devices giving specific information in the interest of the traveling public may be erected and maintained. Such signs shall conform to national standards to be promulgated by the Secretary."

Definitions. (1) Specific information panel means the assembly of signs for the display of specific information which shall consist of the gas, food, and lodging symbols and the supplemental (individual business) signs on a single mounting.

(2) Symbol means the approved standard symbol each for gas, food, and lodging which are to be displayed as the top portion of the specific information panel.

(3) Supplemental (individual business) sign means the permitted sign mounted below the appropriate symbol on the specific information panel to show the name and/or brand of the motorist services available on the crossroad at or near the interchange.

General. (1) The specific information panel, which consists of an assembly of symbols and supplemental signs in a single mounting, shall be erected in advance of each exit from the Interstate highway system where not more than seven qualifying motorist services are available. The symbols mounted horizontally to form the top portion of the panel, shall show the approved standard symbols for "GAS," "FOOD," and "LODGING" from left to right in that order.

Where no motorist services are available at an interchange, the specific information panel is not to be erected.

The supplemental signs for individual businesses are to be mounted vertically under the appropriate symbol. These signs are to be mounted in the order of the distance measured in either direction along the crossroad from the nearest point of the intersection of the crossroad main traveled way and the specific exit traveled way, the closest at the top, the next closest second from the top, etc., or alternatively, in alphabetical order. In the combined specific information panel no more than three supplemental signs shall be mounted below each symbol, nor more than seven in total. Nationally, re-

gionally or locally known commercial symbols for service stations, restaurants and motels shall always be used when applicable.

(2) Where there are eight or more qualifying motorist services at an interchange crossroad, the gas, food and lodging messages may be erected as three separate specific information panels, each at least 800 feet removed from the other panels and major guide signs. Each such panel is to consist of a single symbol at the top with supplemental signs for that type of business only mounted vertically beneath, as generally described under (1) above. Not more than 6 supplemental signs of the one type shall be included. There may be two vertical rows of supplemental signs below the symbol. In the direction of traffic the successive signs shall be those for lodging, food, gas.

(3) In any special case where the total number of qualifying motorist services on the crossroad at or near the interchange exceeds that which could be displayed as separate information panels, described in (2) above, consideration should be given to placing the information panel in a safety rest area.

(4) The "GAS," "FOOD," and "LODGING" symbols shall have reflectorized white symbols and borders on a reflectorized or opaque blue background.

The supplemental or individual business sign color shall be a white message on a blue background except in the case where an established commercial symbol is used alone. The principal legend on the supplemental sign shall be at least 6 inches in height, whether capitals or lowercase. When the commercial symbol is used alone for the supplemental sign, any legend on the symbol shall be in proportion to the size of symbol, consistent with customary use.

(5) The specific information panels are designed for application on rural sections of the Interstate highway system where a number of motorist services normally are not available near each interchange. Specific information panels are not to be installed within suburban or urban areas, except on circumferential, bypass, or beltway-type routes where existing roadside development is not urban in character.

Location of specific information panel.

(1) The specific information panel is to be located in the same general manner as normal traffic signs in advance of the interchange, directly visible from the roadway. This location of the specific information panel will vary depending upon existing standard guide signs; however, it shall be at least 800 feet from the nearest standard interchange guide sign, and should be a minimum of 1,500 feet from the exit approach nose. It shall be erected on the right-hand side of the roadway, and between the last advance guide sign and the exit directional sign. Where three separate specific information panel signs are located in advance of the interchange, the last in the series and closest to the interchange shall be located as above described.

Separate panel may be required within the same guide sign series in the case of a cloverleaf-type interchange. If this is the case, each panel will require additional directional signing on the assembly. The directional legends "Next Right" or "Second Right" may be used, or an exit number on each panel may be used.

The specific information panel shall not be erected at an interchange where an exit from the Interstate highway is provided, but no entrance ramp exists at that interchange or another reasonably convenient location that would permit a motorist to proceed in the desired direction of travel without undue indication or use of poor connecting roads.

The specific information sign is to be repeated on the interchange ramp or crossroad where the service installations are not nearby or within sight. The signs shall be the same in shape, color and message as those shown on the Interstate roadway special information panels, together with an arrow showing the directions for the different services and, where needed, the mileage to the service installation. These sign legends normally will be smaller (minimum 4-inch letter height) than those shown on the Interstate roadway special information panels.

(2) Specific information panels may be located within safety rest areas or scenic overlooks. Where applicable, specific information may be given at the one area for several interchanges. The specific information panels in roadside areas shall be located so as not to be readable from the through roadway of the Interstate highway.

Size. The size of the sign showing the symbol on the specific information panel shall be 48 inches horizontally and 30 inches vertically. The supplemental signs for individual businesses to be displayed on the specific information panel shall be limited to 6 square feet. The maximum width shall be 36 inches. The maximum vertical dimension shall be 24 inches.

The supplemental signs for individual businesses to be mounted on the specific information panels in safety rest areas, scenic overlooks or special constructed areas shall be 24 inches by 24 inches. Standard commercial trademark symbols, where applicable, shall be displayed on the individual signs for glance recognition.

Lighting. The supplemental signs on the specific information panel may be reflectorized or illuminated, but on any single panel all supplemental signs shall be reflectorized or all should be opaque. Illumination of the panel shall be consistent with the treatment for other guide signs for the particular interchange.

Draft criteria to determine specific information permitted. The following are minimum criteria for permitting supplemental signs, giving specific information to the traveling public, to be erected on the right-of-way in advance of the exit from the interstate highway.

(1) **General.** The service installation shall be located not more than one-half mile from the point of intersection of the crossroad main traveled way and the specific exit traveled way.

(2) **Gasoline and associated services to qualify for erection on a specific information panel.** (a) Two or more pumps furnishing locally or regionally advertising brands of gasoline.

(b) Supplementary vehicle services such as oil, lubrication, tire repair and water.

(c) Personnel capable of minor vehicle repair or adjustments.

(d) Rest room facilities and drinking water.

(e) In continuous operation at least 16 hours per day.

(f) Telephone.

(3) **Food to qualify for erection on a specific information panel.** (a) Space for seated service for at least 10 people, or in the case of drive-in restaurants, parking for at least 10 cars.

(b) Where required, licensed or approved as satisfactory by State health or other public controlling agency.

(c) In continuous operation each day (approximately 7 a.m. to 9 p.m.) during the hours that 3 meals normally are served.

(d) Telephone.

(4) **Lodging to qualify for erection on a specific information panel.** (a) At least 15 bedroom units for hotels and motels.

(b) Hotels and motels which have a private bath for each bedroom unit, or other reasonably acceptable sanitary facilities.

(c) Where required, licensed or approved as satisfactory by State or other controlling agency.

(d) Telephone.

Dated: January 20, 1966.

REX M. WHITTON,
Federal Highway Administrator.

[F.R. Doc. 66-1060; Filed, Jan. 27, 1966;
8:49 a.m.]

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Dept. Order 167-71]

COMMANDANT, U.S. COAST GUARD

Delegation of Functions

By virtue of the authority vested in the Secretary of the Treasury by Reorganization Plan No. 26 of 1950 and by Title 37, U.S. Code, there are transferred to the Commandant, U.S. Coast Guard, the functions of the Secretary of the Treasury under:

1. All applicable sections of Title 37, U.S. Code, wherein the Secretary is empowered to prescribe regulations or otherwise exercise authority in the premises.

This order supersedes Treasury Department Orders No. 154, dated August 7, 1952; No. 167-3, dated May 6, 1953; No. 167-12, dated September 27, 1954;

No. 167-17, dated June 29, 1955; No. 167-18, dated December 8, 1955; No. 167-19, dated January 6, 1956; No. 167-30, dated December 13, 1957; No. 167-34, dated September 24, 1958; No. 167-37, dated July 22, 1959, and No. 167-69, dated October 20, 1965.

Dated: January 21, 1966.

[SEAL] TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 66-1008; Filed, Jan. 27, 1966;
8:48 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-248]

GENERAL ATOMIC DIVISION, GENERAL DYNAMICS CORP.

Notice of Application for and Proposed Issuance of Facility Export License

Please take notice that General Atomic Division of General Dynamics Corp., Post Office Box 608, San Diego, Calif., 92112, has submitted an application dated January 7, 1966, for a license to authorize the export of a 250 kilowatt thermal TRIGA Mark I research reactor to the German Cancer Research Center (Stiftung Deutsches Krebsforschungszentrum), Heidelberg, West Germany.

Upon finding that the reactor proposed for export is within the scope of the Agreement for Cooperation between the Government of the United States of America and the Government of the Federal Republic of Germany, and unless within 15 days after the publication of this notice in the FEDERAL REGISTER, a request for a formal hearing is filed with the U.S. Atomic Energy Commission by the applicant or an intervenor as provided by the Commission's rules of practice (Title 10, CFR, Ch. 1, Pt. 2), the Commission proposes to issue to General Atomic Division of General Dynamics Corp. a facility export license on Form AEC-250 containing the authority set forth in the text below authorizing export of the reactor described in the application.

Pursuant to the Atomic Energy Act of 1954, as amended, and Title 10, Chapter 1, Code of Federal Regulations, the Commission has found that:

(a) The application complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter 1, Code of Federal Regulations, and

(b) The reactor proposed to be exported is a utilization facility as defined in said Act and regulations.

In its review of applications solely to authorize the export of production or utilization facilities, the Commission does not evaluate the health and safety characteristics of the facility to be exported.

A copy of the application, dated January 7, 1966, is on file in the Atomic

Energy Commission's Public Document Room located at 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 21st day of January 1966.

For the Atomic Energy Commission.

EBER R. PRICE,
Director, Division of
State and Licensee Relations.

PROPOSED EXPORT LICENSE

Pursuant to the Atomic Energy Act of 1954, as amended, and the regulations of the U.S. Atomic Energy Commission issued pursuant thereto, and in reliance on statements and representations heretofore made, General Atomic Division of General Dynamics Corp., Post Office Box 608, San Diego, Calif., 92112, is authorized to export a 250 kilowatt thermal TRIGA Mark I nuclear research reactor to the German Cancer Research Center (Stiftung Deutsches Krebsforschungszentrum), Heidelberg, West Germany, subject to the terms and provisions herein. The license to export extends to the licensee's duly authorized shipping agent.

Neither this license nor any right under this license shall be assigned or otherwise transferred in violation of the provisions of the Atomic Energy Act of 1954.

This license is subject to the right of recapture or control reserved by section 108 of the Atomic Energy Act of 1954, and to all other provisions of said Act, now or hereafter in effect and to all valid rules and regulations of the U.S. Atomic Energy Commission. This license is effective as of the date of issuance and shall expire on December 31, 1966.

For the Atomic Energy Commission.

[F.R. Doc. 66-971; Filed, Jan. 27, 1966;
8:45 a.m.]

[Docket No. 50-223]

LOWELL TECHNOLOGICAL INSTITUTE

Notice of Extension of Completion Date

Please take notice that the Atomic Energy Commission has issued an order extending to December 31, 1967, the latest completion date specified in Construction Permit No. CPRR-87 which authorizes construction of a 1-megawatt, pool-type nuclear reactor on Lowell Technological Institute's campus in Lowell, Mass.

Copies of the Commission's order and the application filed by Lowell Technological Institute are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 21st day of January 1966.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

[F.R. Doc. 66-972; Filed, Jan. 27, 1966;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 16606]

OZARK AIR LINES, INC.

Route Realignment Investigation; Notice of Cancellation of Prehearing Conference

Notice is hereby given that the prehearing conference in the above-entitled matter assigned to be held on February 8, 1966, is canceled, pending the rescheduling thereof at a later date.

Dated at Washington, D.C., January 25, 1966.

[SEAL] LESLIE G. DONAHUE,
Hearing Examiner.

[F.R. Doc. 66-1010; Filed, Jan. 27, 1966;
8:48 a.m.]

[Docket No. 5713 etc.]

PIEDMONT CASE (NORFOLK-NORTH PROPOSALS)

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended that oral argument in the above-entitled case is assigned to be held on February 24, 1966, at 10 a.m., e.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the Board.

Dated at Washington, D.C., January 24, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66-1011; Filed, Jan. 27, 1966;
8:48 a.m.]

FEDERAL RESERVE SYSTEM

BAYSTATE CORP.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a)(2) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(2)), by Baystate Corp., which is a bank holding company located in Boston, Mass., for the prior approval of the Board of the acquisition by Applicant of up to 100 percent of the voting shares of Lynn Safe Deposit & Trust Co., Lynn, Mass.

In determining whether to approve this application submitted pursuant to section 3(a)(2) of the Bank Holding Company Act, the Board is required by that Act to take into consideration the following factors: (1) The financial history and condition of the company and the bank concerned; (2) their prospects; (3)

the character of their management; (4) the convenience, needs, and welfare of the communities and the area concerned; and (5) whether or not the effect of such acquisition would be to expand the size or extent of the bank holding company system involved beyond limits consistent with adequate and sound banking, the public interest, and the preservation of competition in the field of banking.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C., 20551.

Dated at Washington, D.C., this 21st day of January 1966.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 66-983; Filed, Jan. 27, 1966;
8:46 a.m.]

NEW HAMPSHIRE BANKSHARES, INC.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a)(2) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(2)), by New Hampshire Bankshares, Inc., which is a bank holding company located in Nashua, N.H., for the prior approval of the Board of the acquisition by Applicant of 1,600 of the 2,250 voting shares of The Indian Head National Bank of Manchester, Manchester, N.H.

In determining whether to approve this application submitted pursuant to section 3(a)(2) of the Bank Holding Company Act, the Board is required by that Act to take into consideration the following factors: (1) The financial history and condition of the Company and the bank concerned; (2) their prospects; (3) the character of their management; (4) the convenience, needs, and welfare of the communities and the area concerned; and (5) whether or not the effect of such acquisition would be to expand the size or extent of the bank holding company system involved beyond limits consistent with adequate and sound banking, the public interest, and the preservation of competition in the field of banking.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C., 20551.

Dated at Washington, D.C., this 21st day of January 1966.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 66-985; Filed, Jan. 27, 1966;
8:46 a.m.]

COUNTY TRUST CO.

Order Approving Mergers of Banks

In the matter of the applications of The County Trust Co. for approval of mergers with The Goshen National Bank and Intercounty Trust Co.

There have come before the Board of Governors, pursuant to the Bank Merger Act of 1960 (12 U.S.C. 1828(c)), applications by The County Trust Co., White Plains, N.Y., a State member bank of the Federal Reserve System, for the Board's prior approval of the mergers into that bank of The Goshen National Bank, Goshen, N.Y., and Intercounty Trust Co., Monticello, N.Y., under the charter and title of The County Trust Co. As an incident to the mergers, the sole office of The Goshen National Bank and the three offices of Intercounty Trust Co. would become branches of the resulting bank. Notice of the proposed mergers, in form approved by the Board, has been published pursuant to said Act.

Upon consideration of all relevant material in the light of the factors set forth in said Act, including reports furnished by the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Attorney General on the competitive factors involved in the proposed mergers,

It is hereby ordered, For the reasons set forth in the Board's Statement¹ of this date, that said applications be and hereby are approved, provided that said mergers shall not be consummated (a) within 7 calendar days after the date of this order or (b) later than 3 months after said date.

¹Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C., 20551, or to the Federal Reserve Bank of New York. Dissenting statement of Governor Robertson also filed as part of the original document and available upon request.

Dated at Washington, D.C., this 21st day of January 1966.

By order of the Board of Governors.*

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 66-984; Filed, Jan. 27, 1966;
8:46 a.m.]

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder
License 428]

ALL NATIONS FORWARDING CO.

Revocation of License

Whereas, by letter dated June 1, 1965, the Federal Maritime Commission informed Michael S. Batt, doing business as All Nations Forwarding Co., 535 West 110th Street, New York, N.Y., of its intention to revoke his license, and offered Mr. Batt the opportunity to show at a hearing that such revocation was unwarranted; and

Whereas, in reply to the Commission's letter of June 1, 1965, Michael S. Batt, doing business as All Nations Forwarding Co. requested that his license be suspended rather than revoked; and

Whereas, by order served July 20, 1965, the Commission suspended the independent ocean freight forwarder license of Michael S. Batt, doing business as All Nations Forwarding Co. until further order; and

Whereas, Michael S. Batt, doing business as All Nations Forwarding Co. is unable to advise the Commission of the date he will resume his ocean freight forwarding operations;

It is ordered, Pursuant to section 44 (d), Shipping Act, 1916 (46 U.S.C. 841b), that the suspension of the independent ocean freight forwarder license of Michael S. Batt, doing business as All Nations Forwarding Co. is continued until 12:01 a.m., July 12, 1966, or such time as licensee resumes his ocean freight forwarding operations and submits a valid surety bond;

It is further ordered, That said license be revoked effective 12:01 a.m., July 12, 1966, unless licensee's operations are re-

*Voting for this action: Chairman Martin, and Governors Balderston, Shepardson, Mitchell, Daane, and Maisel. Voting against this action: Governor Robertson.

sumed and a valid surety bond submitted to the Commission before that date.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served on the licensee.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-1019; Filed, Jan. 27, 1966;
8:49 a.m.]

MANZ LINE JOINT SERVICE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Ronald A. Capone, Esq., Kirlin, Campbell & Keating, The Farragut Building, 900 17th Street NW., Washington, D.C., 20006.

Agreement 7814-3 between the parties to the MANZ Line Joint Service, Agreement 7814, as amended, modifies the basic agreement of the joint service by deleting Australia from the scope thereof.

Dated: January 25, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

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CUMULATIVE LIST OF CFR PARTS AFFECTED—JANUARY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during January.

3 CFR	Page	3 CFR—Continued	Page	3 CFR—Continued	Page
PROCLAMATIONS:		PROCLAMATIONS—Continued		EXECUTIVE ORDERS—Continued	
3235 (terminated by Proc-		3698-----	937	Feb. 20, 1913 (revoked in part	
lamation 3696)-----	421	3699-----	939	by PLO 3915)-----	900
3323 (terminated by Proc-		3700-----	1037	6816 (revoked in part by PLO	
lamation 3697)-----	423			3912)-----	900
3695-----	123	EXECUTIVE ORDERS:		8102 (revoked in part by PLO	
3696-----	421	Dec. 16, 1911 (revoked in part		3919)-----	902
3697-----	423	by PLO 3916)-----	901	10292 (see EO 11266)-----	743

3 CFR—Continued**EXECUTIVE ORDERS—Continued**

10448 (amended by EO 11265)	425
10469 (see EO 11266)	743
11098 (see EO 11266)	743
11248 (amended by EO 11268)	871
11264	67
11265	425
11266	743
11267	807
11268	871

5 CFR

213	5, 71, 147,
	287, 288, 473, 533, 557, 693, 809,
	873, 1074, 1075.

531	809
550	147
1001	873

7 CFR

52	880
81	999
301	427
318	999
354	1052
401	1054
410	1054
701	473
718	1143
724	703, 881, 886
728	181, 194, 745, 810, 811
730	5, 148
775	194
775	194, 315
813	71, 72
814	74, 197
815	74
868	77
877	199
878	79
891	1143
905	5, 148
906	999, 1000
907	148, 259, 342, 533, 704, 888, 1000
909	534
910	6, 80, 259, 474, 534, 888
911	959, 1143
913	259
932	811
944	1001, 1057
959	811, 813
967	260
971	557
987	960
993	80
999	960
1421	474
1427	474, 813
1434	7, 815

PROPOSED RULES:

52	270
58	903
711	830
730	903
814	1151
913	564
916	295
932	153
970	974
1003	974
1006	153, 352
1013	975
1016	974
1030	564, 1079
1031	564, 1079
1032	564, 1079
1038	564, 1079
1039	564, 1079
1051	564, 1079

7 CFR—Continued**PROPOSED RULES—Continued**

1062	564, 1079
1063	434, 564, 1079
1067	564, 1079, 1151
1068	92
1070	564, 1079
1078	564, 1079
1079	564, 1079
1099	434, 1152
1126	910
1130	92
1138	477

8 CFR

101	535
103	535
204	535
205	535
245	535
299	536

PROPOSED RULES:

103	535, 830
-----	----------

9 CFR

51	81
52	81
53	81
54	81
55	81
56	81
71	81
72	81
73	81, 745
74	81
75	81
76	81
77	81
78	7, 81
79	81
80	81
81	81
82	81
83	81
91	81
92	81
94	81
95	81
96	81
97	81
101	82
102	82
120	82
122	81
123	82
131	82
151	82
156	82
327	1058

PROPOSED RULES:

94	538
----	-----

10 CFR

3	1058
20	86

PROPOSED RULES:

Ch. I	220, 221
2	830, 831, 832
50	832
55	832
115	17, 832

12 CFR

201	1001
530	287
545	315
555	287

PROPOSED RULES:

204	1010
217	1010
453	225
545	576

13 CFR**Ch. III**

PROPOSED RULES:	8
121	225, 480

14 CFR

25	125
37	125
39	82, 129,
	249, 288, 475, 693, 1002, 1144
71	83, 129,
	131, 203, 249, 250, 288, 342, 427-
	429, 475, 536, 693, 876-878, 957,
	1058-1060, 1144, 1145.

73	475, 878, 958, 1060, 1145
----	---------------------------

75	342, 1146
----	-----------

95	878
----	-----

97	132, 204, 251, 694
----	--------------------

121	125, 1002, 1146
-----	-----------------

295	557
-----	-----

302	84
-----	----

387	702
-----	-----

PROPOSED RULES:

23	93
----	----

25	93
----	----

27	93
----	----

29	93
----	----

37	296
----	-----

39	352, 574, 715, 1156
----	---------------------

71	98, 99,
----	---------

	153, 154, 224, 270-272, 478, 716,
--	-----------------------------------

	911, 912, 1156, 1157.
--	-----------------------

73	297
----	-----

75	99, 352, 1156
----	---------------

135	717
-----	-----

221	754
-----	-----

288	565
-----	-----

399	224, 565
-----	----------

15 CFR

30	260
----	-----

230	343
-----	-----

384	85, 960
-----	---------

16 CFR

13	261, 343-
----	-----------

	347, 558, 559, 1003, 1004, 1060-
--	----------------------------------

	1062, 1147.
--	-------------

15	85
----	----

PROPOSED RULES:	539
-----------------	-----

70	539
----	-----

17 CFR

231	1005
-----	------

240	86, 211, 262, 475, 560
-----	------------------------

241	1005
-----	------

249	1062
-----	------

251	1005
-----	------

261	1005
-----	------

271	1005
-----	------

276	1005
-----	------

PROPOSED RULES:

1	1079
---	------

230	577
-----	-----

239	577
-----	-----

18 CFR

2	215
---	-----

4	889
---	-----

152	430
-----	-----

153	430
-----	-----

156	430
-----	-----

157	430
-----	-----

159	430
-----	-----

PROPOSED RULES:

2	1079
---	------

14	1079
----	------

19 CFR

1	315
---	-----

4	536
---	-----

54	1148
----	------

19 CFR—Continued

Page

PROPOSED RULES:

2..... 266, 434

21 CFR

8..... 8, 1063, 1065, 1066

31..... 1066

51..... 9

120..... 289

121..... 9, 215,

216, 289, 290, 560, 1067-1069, 1149

141a..... 889

141e..... 560

144..... 1069

145..... 890

146a..... 889, 893

146c..... 10

146e..... 560

148b..... 86

148c..... 1070

148g..... 890

166..... 264, 1071, 1074

PROPOSED RULES:

27..... 17

53..... 1154

120..... 903

121..... 903, 1155

148g..... 712

166..... 565, 1155

24 CFR

SUBTITLE A..... 815

11..... 816

200..... 816

26 CFR

1..... 148, 941

31..... 148

151..... 429

270..... 32

275..... 40

280..... 47

285..... 47

290..... 47

295..... 57

296..... 58

301..... 148

PROPOSED RULES:

1..... 965

31..... 965

48..... 974

170..... 217, 352

301..... 965

27 CFR**PROPOSED RULES:**

5..... 1009

28 CFR

0..... 704

29 CFR

6..... 893

8..... 893

20..... 954

1200..... 894

PROPOSED RULES:

409..... 1009

30 CFR

401..... 475

PROPOSED RULES:

27..... 89

32 CFR

1..... 1039

2..... 1040

3..... 1401

4..... 1041

5..... 1046

6..... 1046

7..... 1050

8..... 1050

32 CFR—Continued

Page

10..... 1051

11..... 1051

12..... 1051

13..... 1051

15..... 1051

16..... 1052

18..... 1052

30..... 1052

41..... 705

111..... 898

733..... 291

1622..... 745

33 CFR

202..... 561

203..... 1005

204..... 561, 816

207..... 561

209..... 955

261..... 1074

36 CFR

261..... 1074

39 CFR

4..... 537

16..... 537

22..... 476

46..... 537

115..... 476

168..... 810

201..... 265

PROPOSED RULES:

51..... 294, 434, 538

52..... 294, 434, 538, 564

53..... 294, 434, 538

58..... 294, 434, 538

61..... 294, 434, 538

96..... 712

132..... 294, 434, 538

133..... 294, 434, 538

41 CFR

1-2..... 348

1-3..... 348, 1150

1-12..... 11

1-30..... 348

5-1..... 708

8-19..... 745

11-1..... 817, 821

11-2..... 821, 959

11-3..... 821

11-4..... 817

11-5..... 817, 822

11-10..... 820

18-1..... 596

18-2..... 596

18-3..... 596

18-4..... 596

18-5..... 596

18-6..... 596

18-7..... 596

18-8..... 596

18-9..... 596

18-10..... 596

18-11..... 596

18-12..... 596

18-13..... 596

18-14..... 596

18-15..... 596

18-16..... 596

18-51..... 596

18-52..... 596

50-204..... 1075

51-1..... 1076

101-43..... 1007

42 CFR

51..... 1058

73..... 14

200..... 203

203..... 203

43 CFR

Page

PUBLIC LAND ORDERS:

639 (modified by PLO 3920)..... 1007

3909..... 87

3910..... 899

3911..... 899

3912..... 900

3913..... 900

3914..... 900

3915..... 900

3916..... 901

3917..... 901

3918..... 901

3919..... 902

3920..... 1007

44 CFR

401..... 1007

705..... 151

707..... 151

708..... 432, 537

45 CFR

141..... 824

142..... 825

Ch. IV..... 498

801..... 15, 265, 902

46 CFR

160..... 562

162..... 563

164..... 563

PROPOSED RULES:

502..... 356

510..... 764

47 CFR

1..... 746

2..... 292

13..... 15

43..... 746

51..... 746

73..... 349, 350, 748

81..... 350

83..... 350

95..... 959

PROPOSED RULES:

2..... 353, 755

21..... 353

31..... 354

33..... 354

34..... 354

35..... 354

73..... 354, 355, 575, 756, 757

74..... 758

81..... 759

83..... 759

85..... 759

87..... 18, 353, 755, 763

89..... 18, 353, 763

91..... 18, 353, 763

93..... 18, 353, 763

97..... 575

48 CFR

412..... 826

501..... 827

49 CFR

77..... 537

95..... 125, 710

170..... 829

PROPOSED RULES:

120..... 912

170..... 1010

205..... 912

50 CFR

28..... 1078

32..... 88, 351, 433, 1078

33..... 433, 941, 1008, 1078, 1150